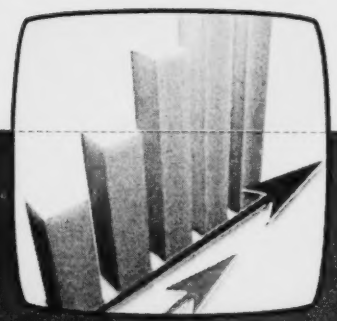
Canadian Intellectual Property Office
An Agency of Industry Canada

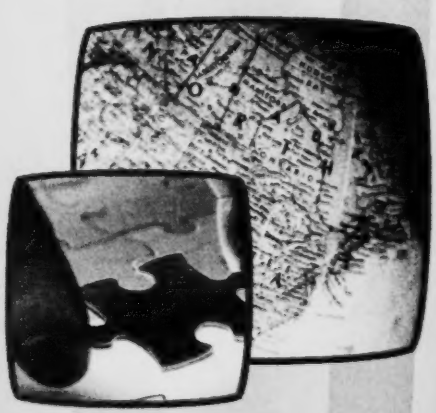
Office de la propriété intellectuelle du Canada
Un organisme d'Industrie Canada

ANNUAL REPORT 2007–08



Moving Forward

ADVANCING THE MARKETPLACE



Canada

CIPO OPIC

Canadian Intellectual Property Office Annual Report 2007–08

Moving Forward — Advancing the Marketplace

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About us

The Canadian Intellectual Property Office (CIPO), a special operating agency of Industry Canada, is responsible for administering Canada's system of intellectual property (IP) rights; namely, patents, trade-marks, copyrights, industrial designs and integrated circuit topographies.

CIPO's key functions include:

- *assessing and granting requests for IP rights;*
- *disseminating the technical information underlying these creations to allow other inventors to build on existing innovations;*
- *encouraging invention, innovation and creativity in Canada;*
- *providing expert advice on IP administration to other countries; and*
- *promoting Canada's IP interests internationally.*

Specifically, CIPO receives and examines applications for patents, trade-marks, copyrights, industrial designs and integrated circuit topographies; grants and registers these IP rights; and administers their renewal, assignment and transfer. It also oversees the qualifying examinations for patent and trade-mark agents. Its primary clients are applicants for IP protection, agents representing those applicants, exploiters of IP systems, and the Canadian business community.

CIPO provides IP information via its website (www.cipo.ic.gc.ca) and through publicly accessible databases. It is responsible for publishing the *Trade-marks Journal* and the *Canadian Patent Office Record*, and also publishes information guides on its products, bulletins, reports and news releases. To facilitate and encourage the acquisition of IP rights and the exploitation of IP information, CIPO also has a program to raise awareness of the value of IP among the Canadian business community, innovators and creators.

Vision, mission and values

Vision

To be a leading intellectual property office recognized for excellence in our products and services and for strengthening Canada's innovative capacity, through ongoing quality improvement, continuous development of our employees and adherence to our values.

Mission

To accelerate Canada's economic development by:

- **fostering** the use of the intellectual property (IP) system and the exploitation of IP information;
- **encouraging** invention, innovation and creativity in Canada;
- **administering** the IP system in Canada (patents, trade-marks, copyrights, industrial designs and integrated circuit topographies); and
- **promoting** Canada's international IP interests.

Values

Integrity
Fairness
Respect
Efficiency
Trust
Quality
Continuous improvement

Our client service commitment

By telephone

- We answer your call with courtesy and efficiency and, if necessary, refer you to the appropriate officer to deal with your enquiry in the official language of your choice.
- We record all voice mail greetings clearly and bilingually.
- We listen to voice messages at least once a day and return your call by the end of the next business day.

In person

- We greet you in the official language of your choice.
- We provide you with access to an information officer at the Client Service Centre to deal with your enquiry within 10 minutes.
- If you wish to meet with a specialist, you must make an appointment beforehand.

General mail, email and fax enquiries

- We correspond with you in the official language of your choice.
- We acknowledge general correspondence, email and fax requests within two working days.

If you wish to formally register feedback concerning any of the products and services offered by CIPO, please use our online feedback mechanism located on CIPO's website by selecting the "Contact Us" button.

How to reach us

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Acronyms and initialisms

ANCAFA	Accumulated net charge against the fund's authority
APEC	Asia–Pacific Economic Cooperation
CIDB	Copyright and Industrial Design Branch
CIPO	Canadian Intellectual Property Office
CSC	Client Service Centre
DCA	Deferred capital assistance
EBR	Enterprise Business Renewal
ICTs	Integrated circuit topographies
IM	Information management
IP	Intellectual property
IPEA	International Preliminary Examining Authority
IPEG	Intellectual Property Rights Experts' Group
IPIC	Intellectual Property Institute of Canada
IPO	Intellectual property office
ISA	International Searching Authority
IT	Information technology
JLC	Joint Liaison Committee
LDP	Leadership Development Program
PAB	Patent Appeal Board
PCT	Patent Cooperation Treaty
PPH	Patent Prosecution Highway
RC	Resource Centre
SMEs	Small and medium-sized enterprises
SOA	Special operating agency
TATs	Turnaround times
TMOB	Trade-marks Opposition Board
WIPO	World Intellectual Property Organization

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Message from the CEO

In a constantly evolving marketplace, the Canadian Intellectual Property Office (CIPO) gives Canadian innovators a competitive edge by protecting valuable intellectual property (IP). CIPO's efforts to champion innovation serves all Canadians when creators and innovators succeed.

As this annual report of 2007–08 details, CIPO continues to focus on becoming more efficient, accessible and responsive to our clients as we seek new and different ways to help them strengthen their competitive advantage, both domestically and globally. We know that in today's knowledge-based economy, providing first-rate client service is more important than ever.

I am pleased to report that during the last fiscal year we enhanced our level of client service in several areas. Once again we reduced turnaround times (TATs) for key client processes related to copyrights and industrial designs. We improved our communication with clients and took full advantage of our technological resources to provide electronic access to a wider range of CIPO services. Client-centric changes include a user-friendly redesign of our website, improved access to information on patents, trade-marks and copyrights, and online access to the entire database of Canadian Industrial Designs registered since 1861.

Over the past year, we committed to an ongoing process of client consultations to better understand their needs and to offer tailored services. To solidify this commitment, CIPO initiated a consultation framework and undertook a series of consultations with various groups to allow us to respond quickly to clients' priorities and continually improve the delivery of our products and services.

A key component of CIPO's mandate is to build awareness and knowledge of IP among Canadian innovators, and ensure that they understand the value and strategic advantage of IP protection. By doing this, we support the Government of Canada's delivery of core outcomes: an innovative economy and a fair, efficient and competitive marketplace.

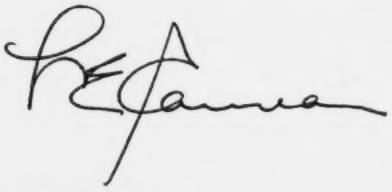
Aligned with the government's efforts to mobilize science and technology to Canada's advantage, we stepped up our outreach efforts towards small and medium-sized enterprises (SMEs) and Canadian students as we recognize that they foster our nation's growing and competitive economy. Consequently, we have successfully implemented pilot projects to showcase the value and benefits of IP registration and protection, and the effective use of the IP system.

This year also marked the formal launch of our multi-year Enterprise Business Renewal (EBR) initiative, a portfolio of projects that is designed to create a secure, cost-effective operational environment focused on client self-sufficiency and satisfaction, while providing a full range of improved, consistent and user-friendly services. In addition, we expect that EBR will lead to more accurate, complete information and will fortify CIPO's infrastructure to create a safer and more responsive environment for exchanging information.

EBR is a critical element in enabling us to deliver on our Five-Year Strategic Plan. This road map is built on five strategic directions: client services, outreach, the IP administrative framework, international activities and our people. As we make progress in each of these areas, we will be able to more effectively support innovation in Canada and achieve our vision of becoming a leading IP office (IPO).

In 2007–08, we continued to raise Canada's profile on the international scene through active participation in various international fora and meetings. These provide excellent opportunities to gather intelligence on best practices at the international level, to build understanding and to assess areas for further collaborative work with other IPOs.

As my first year as CIPO's Chief Executive Officer comes to an end, I am pleased with the progress we achieved, and am confident that our strategic plan and the EBR initiative have set us on a course that will reinforce our services, as well as contribute to broader federal government objectives. As we begin this new phase, I would like to thank our dedicated and competent employees for making CIPO an organization of excellence. I look forward to the implementation of our key initiatives that will help us become a leading IPO.



Mary Carman
Commissioner of Patents,
Registrar of Trade-marks and
Chief Executive Officer

The year at a glance

In March 2008, CIPO published its Five-Year Strategic Plan entitled "Moving Forward to Canada's Advantage," which focuses on five strategic directions: client services, outreach, the IP administrative framework, international activities and our people.

Client services

To truly meet clients' needs CIPO must be proactive, and to that end, has formally begun a multi-year EBR initiative that will transform the way the organization does business. In fact, EBR is the linchpin of the strategic plan. EBR will result in improved products, services and processes for clients, and enable CIPO to determine what is needed to become a leading IPO.

With the launch, CIPO established a governance structure for EBR, allowing CIPO to plan the first steps of the initiative — defining a shared vision of success for EBR and identifying key opportunities.

During 2007–08, CIPO focused on the priorities of its clients: communications, accessibility, and TATs. The client groups with which CIPO does business are: the creators and inventors of IP, existing and potential Canadian exploiters of IP rights and information, and the professionals that act on behalf of creators and innovators.

CIPO's fourth National Client Survey was launched in March 2008. In an effort to continue to respond to clients' needs, the survey measures client satisfaction with CIPO products and services, monitors progress in meeting clients' needs over time, and improves service within specific product lines.

TATs for key services to clients steadily improved for the second consecutive year, particularly benefiting clients in copyrights and industrial designs.

The year by the numbers

Patents

- 41 321 patent applications
- 33 673 national examination disposals
- 2 385 international search reports
- 430 international preliminary reports on patentability

Trade-marks

- 47 586 trade-mark applications
- 25 314 registrations

Copyrights

- 9 321 copyright applications
- 2 009 requests for grants of interest
- 9 254 registrations

Industrial designs

- 5 174 industrial design applications
- 5 947 registrations

A new monthly newsletter *CIPO News Updates* provides clients with news from all of CIPO, and stakeholders stay informed through subscriptions to the newsletters posted on the website.

Improved communications with clients, stakeholders and employees was a key focus area in 2007–08. Clients now have easy online access to a wide range of information, services and products via a new "client page" on CIPO's website. Clients now have a much more straightforward online experience because of the expanded and upgraded search and navigation capabilities of the Canadian Patents Database. For the first time, clients were able to obtain information online about the status of opposition and section 45 cases through the Canadian Trade-marks Database. The Canadian Industrial Designs Database was completed and now hosts over 110 000 Canadian industrial designs. Users can go online to see design drawings from as far back as 1861.

Outreach

In helping Canada's innovators and creators understand and reap the benefits of the IP system, CIPO focused on SMEs and the education sector. To help SMEs use IP knowledge to acquire a competitive advantage in the marketplace, CIPO started a pilot project in the environment sector to determine how best to engage small companies, secure collaboration of key partners, and define customized product and service tools.

To raise IP awareness in the education sector, CIPO invited the top three winners of the Canada-Wide Science Fair to participate in the Canadian Youth Innovators Tour — a visit to CIPO's offices and a personalized awareness session with a patent examiner. On the post-secondary front, CIPO started a pilot project with university partners to design tools for integrating IP into university courses.

IP framework

CIPO's proposed amendments to the *Patent Rules*, *Trade-marks Regulations*, *Industrial Designs Regulations* and *Integrated Circuit Topography Regulations* came into force. These amendments ensure our clients a more user-friendly, cost-effective and responsive Canadian IP regime. And to enhance competitiveness and drive efficiencies for clients, CIPO is working toward streamlining the *Trade-marks Act*.

International activities

CIPO helps to improve the worldwide IP system by contributing to and influencing international administrative policies and practices, and by sharing business intelligence and best practices. To improve international IP standards, CIPO actively participated in numerous World Intellectual Property Organization (WIPO) and Asia–Pacific Economic Cooperation (APEC) meetings, including General Assemblies, an Extraordinary General Assembly, Group B+, the Vancouver Group and various technical committees. CIPO led the Canadian delegation at the APEC–IPEG (Intellectual Property Rights Experts' Group) meetings in Chinese Taipei, in June 2007, and in Lima, Peru, in February 2008.

CIPO continues to provide technical assistance to developing countries. Delegates from 10 developing countries from the Asia–Pacific, Latin America, Caribbean, Middle East, Africa and Eastern Europe regions attended the WIPO/CIPO Executive Workshop on the Application of Management Techniques in the Delivery of Intellectual Property Services.

Our people

To continue building a committed workforce, CIPO implemented a new human resources governance structure that emphasizes recruitment and retention, learning and development, and workplace well-being.

Keeping employees informed helps to build an empowering environment. The organization's intranet (CIPOnet) now features the *CIPO Info Weekly Digest*, a new communications vehicle for corporate news and upcoming events that keeps staff in all the branches up to date.

To facilitate the integration of students, as well as the supervisor-student relationship, hiring managers were invited to participate in a workshop on generational differences. CIPO developed new guiding principles to promote continuous learning and professional development, and added an official languages development component to its Resource Centre. As part of its emphasis on creating an atmosphere that recognizes and respects diversity, CIPO designated a quiet room for employees to use for personal reflection or religious observances.

Introduction

Purpose

This annual report provides information on the operating and financial results for fiscal year 2007–08 for CIPO. It includes key performance information related to the organization's services and statistical information on IP of interest to domestic and international organizations.

Agency background

CIPO was established a Special Operating Agency (SOA) under a framework document approved by Treasury Board, effective April 1, 1992. The head of CIPO, the Commissioner of Patents, Registrar of Trade-marks and Chief Executive Officer, has overall accountability for CIPO's performance, including long-term strategic direction, and is held accountable to both the Deputy Minister and the Minister of Industry for achieving results and meeting financial targets. CIPO's organizational structure is outlined in Appendix A.

CIPO charges fees for the services it renders to its clients and is fully financed by these fees. By having access to its revenue, the organization has gained increased financial, personnel and administrative flexibility that allows it to focus on service quality and responsiveness in an environment characterized by evolving client needs and a competitive labour market.

Mandate and mission

CIPO's mandate stems from statutory and other authorities, including the *Patent Act*, the *Trade-marks Act*, the *Copyright Act*, the *Industrial Design Act*, the *Integrated Circuit Topography Act* and the *Public Servants Inventions Act*, as well as regulations associated with each of these acts.

CIPO's mission is to accelerate Canada's economic development by:

- fostering the use of the IP system and the exploitation of IP;
- encouraging invention, innovation and creativity in Canada;
- administering the IP system in Canada, including patents, trade-marks, copyrights, industrial designs and integrated circuit topographies; and
- promoting Canada's international IP interests.

About this annual report

This annual report is structured around five strategic directions that support delivery of superior value to clients and stakeholders and reflect CIPO's vision for better enabling Canadians to participate and contribute to a competitive, growing knowledge-based economy through the IP system. These strategic directions are in the areas of client services and outreach (which together constitute the core of CIPO's business), the IP administrative framework, international activities and our people.

Strategic direction: Client services

CIPO recognizes the importance of increasing the level and quality of IP activity by Canadians. To this end, CIPO is committed to providing quality products and services that respond to client needs and expectations while supporting the greater public good.

CIPO is continually working to become more efficient, accessible and responsive to client needs. Again this year, CIPO continued to act on the results of its third National Client Survey, conducted in June 2005.

The organization focused on three distinct client groups with a range of needs and expectations:

- the creators and inventors of IP;
- existing and potential Canadian exploiters of IP rights and information; and
- the professionals who act on behalf of creators and innovators.

Throughout the year, the organization improved services in the following three areas identified as top client priorities in the 2005 survey:

- timely, quality products and services;
- accessible user-friendly products, services and processes; and
- clear, consistent, accurate and comprehensive communications.

Timely, quality products and services

For the second consecutive year, CIPO made significant progress in reducing TATs for key services to clients. TATs improved steadily throughout the year for processes involving copyrights and industrial designs.

CIPO's product lines are striving to meet this strategic objective by placing high value on TATs and quality. All product lines are working to improve the timeliness, consistency, comprehensiveness and accuracy of search and examination products, services and processes.

Patents

The Patent Branch receives, classifies, examines and processes applications for patents that provide IP rights for a new invention (process, machine, manufacture or composition of matter) or any new and useful improvement of an existing invention.

Patent Branch examiners, who have undergone extensive technical and legal training, are qualified specialists in a range of disciplines. The Branch serves a diverse mix of national and international clients (the public, scientists, business professionals, academics, inventors, patent professionals, research institutes) in a variety of fields, including biotechnology, computers, physics, electrical, mechanical and civil engineering, and chemistry.

In addition to prosecuting nationally filed applications, the Branch receives international applications filed under the Patent Cooperation Treaty (PCT) and establishes international search reports and international preliminary reports on patentability as part of its responsibility as a PCT International Authority. Through its active participation in the Meeting of International Authorities, the Branch effectively contributes to the improvement of the quality and importance of work done by international authorities.

The Branch's archives constitute one of the largest collections of technological information in Canada. The archives' detailed classification system allows members of the public to research Canadian patent documents.

Highlights

In 2007–08, the Patent Branch undertook a comprehensive rewrite of the *Manual of Patent Office Practice*'s Chapter 17 dealing with biotechnology. The public has commented on Chapter 17 and the Branch is in the process of analyzing feedback received. The Commissioner of Patents will issue a final version in the coming months.

In addition, Chapter 12 entitled "Utility and subject-matter" was under review in the Branch throughout much of 2007–08. The chapter is being revised to improve its clarity and to provide more comprehensive guidance on examination practices in respect of determining whether or not claimed subject matter is statutory and useful. The revision process includes both internal and external review. The Branch plans to make the chapter available for public review and comment; those comments will be considered and a final chapter released in 2008–09.

The Branch received 41 321 patent applications and disposed of 33 673 national applications. In continuing with CIPO status as an international searching authority (ISA) and an international preliminary examining authority (IPEA), the Branch also produced 2385 international search reports and 430 international preliminary reports on patentability.

Throughout the year the Patent Branch significantly increased production, reduced TATs and consistently met its deadlines for international processing. However, the Branch did not achieve its year-end target to have 80 percent of all applications with a request for examination waiting less than 24 months. This proved to be a challenge as the target achieved was 72 percent. While the Branch hired 33 new examiners, increasing examination capacity in some disciplines continues to be the biggest challenge in meeting this client commitment. Branch investment in improving office practice and in initiatives such as the Patent Prosecution Highway (PPH) will lead to service improvements in the future.

In early January of 2008, CIPO and the United States Patent and Trademark Office began a one-year pilot, working together on the PPH.

This initiative permits each office to benefit from work previously done by the other office, in turn reducing examination workload and improving patent quality. It also allows applicants who use the PPH to obtain corresponding patents faster and more efficiently.

The regulatory and legislative changes that came into force during the year resulted in several new procedures for the Branch. For example, amendments to the *Patent Cooperation Treaty Regulations* led to new procedures in the PCT International Unit. These amendments concern the restoration of priority rights, missing parts or elements of the international application, and the rectification of obvious mistakes.

Under the PPH project, an applicant receiving a ruling from either office that at least one claim in an application is patentable may request that the other office fast-track the examination of corresponding claims in corresponding applications.

The Branch continued to consult and communicate effectively with the patent profession through its participation in the Joint Liaison Committee (JLC), a joint committee between CIPO and the patent agents of the Intellectual Property Institute of Canada (IPIC). IPIC recognized the JLC as a model committee and this year based other CIPO/IPIC committees on it which are the JLC–Trade-marks and the JLC–Industrial Designs committees. Together with IPIC, common terms of reference were developed for these committees.

In June 2007, the Canadian PCT Administrators' Roundtable was held at the University of Ottawa and at CIPO headquarters, where some 30 experienced PCT administrators gathered for this second annual meeting, hosted by Canadian law firm Borden Ladner Gervais LLP. They spoke on the PCT process, from the request form to examination and the national phase of filing a patent. Patent Branch employees fielded a wide range of questions about amendments to the *Patent Rules* that came into effect June 2, 2007. This kind of knowledge-sharing by the Branch with the IP community supports CIPO's commitment to foster the use of the IP system in Canada, as well as the recent Government of Canada science and technology strategy "mobilizing science and technology to Canada's advantage." It pinpoints IP as an important instrument for promoting private sector investment in research and development and advanced technologies in Canada.

Patent Appeal Board

The Patent Appeal Board (PAB) is composed of senior Patent Office officials who advise the Commissioner of Patents in the performance of her duties under the Patent Act.

The Board's functions include:

- reviewing rejected patent and industrial design applications, and recommending that applications be either refused or returned to the examiner for further prosecution;
- administering the process of re-examining a patent on the basis of prior art when requested under the *Patent Act*;
- administering the procedures related to abuse of patent rights under section 65 of the *Patent Act*;
- making a recommendation as to which applicant is the first inventor and entitled to claim an invention, under conflict procedures that apply to applications filed before October 1, 1989, where two or more applicants are seeking rights over the same invention; and
- administering the procedures related to compulsory licensing of patented medicines under section 21 of the *Patent Act* for export to developing nations facing public health crises.

The Board also instructs CIPO's litigators in cases involving the Commissioner.

The PAB provides administrative support for the boards that set the qualifying examinations for patent and trade-mark agents. In 2007–08, 241 candidates sat for the patent agent qualifying examination, while 24 candidates wrote the trade-marks agent qualifying examination.

During 2007–08, the PAB received 16 applications for review and disposed of five applications, which included preparing draft recommendations for the Commissioner. The PAB reviewed one rejection of application for reissue and received five rejections for review. The PAB also established three re-examination boards and concluded five re-examination proceedings. Commissioner's decisions for two conflict procedures involving six patent applications were finalized. All final decisions of the Commissioner of Patents can be appealed to the Federal Court of Canada.

Highlights

In September 2007, the Commissioner of Patents granted the first authorization to Apotex Inc., a generic drugs manufacturer, under the Canada's Access to Medicines Regime, to produce a pharmaceutical product to treat HIV/AIDS. This product will be produced for export to the African nation of Rwanda. The Regime is a legislative and regulatory framework comprising amendments to the *Patent Act*, the *Food and Drugs Act*, and the *Use of Patented Products for International Humanitarian Purposes Regulations* which facilitates the provision of patented medicines to developing nations facing public health crises, such as HIV/AIDS, malaria and tuberculosis.

Trade-marks

The Trade-marks Branch is responsible for registering trade-marks — words, symbols or designs used to distinguish products or services in the marketplace. The Branch examines applications for trade-mark registration, grants registrations to qualifying applicants, and records new information when trade-mark rights are assigned to a new owner.

Over the past five years, the Branch has significantly improved its TATs from filing to first actions from 17 months down to 6 months.

Highlights

In 2007–08, the Branch received 47 586 new applications for trade-marks, an increase from the 45 374 applications received in 2006–07. Of the total received in 2007–08, 25 314 trade-marks were registered.

The Branch spent a significant amount of time mapping and reviewing its key processes with the intent of improving overall quality and identifying areas targeted for improvements. This work was done in preparation for both the EBR and the quality management initiatives.

In striving to maintain TATs at 6 months from filing to first action and at 4 months for subsequent client correspondence, the Branch hired 24 new examiners, of which 13 were fully trained in 2007–08. The other 11 will complete their training in the next fiscal year. Furthermore, the Branch will continue recruiting as needed in future years to ensure that sufficient resources are in place to maintain the 6-month TAT and to stabilize the inventory of applications awaiting examination.

In addition to hiring new examiners, key management positions were also staffed in 2007–08. These staffings will allow the Branch to move forward on the EBR initiative, as well as focus on the quality management initiatives.

The Branch outsourced the translation service to a third party, and also introduced the translation of the wares/services at the initial stages of the applications, thereby providing assistance to the examiners in achieving consistent and quality examination.

The Branch started implementing a quality management system in 2007–08. Employees in both examination and operations attended workshops on quality, and a Quality Management Committee was established to prepare criteria and a plan for the review of files at different stages of the process.

Trade-marks Opposition Board

The Trade-marks Opposition Board (TMOB) considers applications filed by third parties to challenge the registration of a proposed trade-mark advertised in the Trade-marks Journal. *Statements of opposition are filed against approximately 4 percent of advertised trade-mark applications. TMOB also deals with requests for the removal of a trade-mark from the trade-marks register, on the grounds that the mark is not used in Canada (section 45). TMOB conducts hearings, where necessary, and renders decisions on behalf of the Registrar of Trade-marks.*

All final decisions of the Registrar of Trade-marks can be appealed to the Federal Court of Canada.

Highlights

In 2007–08, TMOB provided information online through the Canadian Trade-marks Database concerning the status of active trade-marks opposition and section 45 cases. TMOB also successfully recruited two new board members and two hearing officers.

In 2007–08, TMOB increased its information online so that information on active trade-marks opposition and section 45 cases could be accessed through the Canadian Trade-marks Database.

Amendments to the *Trade-marks Regulations* came into force on October 1, 2007. In connection with the coming into force of these amendments, TMOB changed its practice, which had been in force since 1996. The most significant change concerned the granting of extensions of time at various steps in opposition proceedings. The new regulations were designed to give parties a more reasonable period of time in which to comply with the regulatory requirements in opposition proceedings, while the new TMOB practice would significantly reduce the amount of additional time granted to parties to comply with the regulatory requirements.

During the year, TMOB received 1387 statements of opposition and 569 section 45 requests.

Copyrights, industrial designs and integrated circuit topographies

The Copyright, Industrial Design and Integrated Circuit Topography product lines are managed by the same branch — the Copyright and Industrial Design Branch (CIDB).

In line with the EBR initiative and to ultimately improve CIPO's service offerings to clients by transforming operational processes, CIDB, along with the other branches, completed the copyright and the industrial design business process documentation and process mapping.

Copyrights

Copyrights provide protection for artistic, dramatic, musical and literary works (including computer programs), sound recordings, performer's performances and communication signals. In the simplest terms, copyright means the right to copy a work. CIDB is responsible for the administration section of the Copyright Act *which means registering copyright ownership and maintaining the official copyright register.*

Highlights

In 2007–08, the Branch received 9321 copyright applications, 2009 grant of interest requests, and 9254 copyrights were registered.

As part of CIDB's ongoing client service improvements, the Branch upgraded its copyright electronic services. Since April 2007, clients can electronically attach grant of interest documentation to the request to register the grant.

Clients are now able to electronically attach evidence and/or agreements to their requests to register grants of interest.

Industrial designs

An industrial design is the visual features of shape, configuration, pattern or ornamentation of a manufactured article. CIDB is responsible for registering industrial designs and does so by examining each application to ascertain whether the design meets the requirements of the Industrial Design Act *and* Industrial Design Regulations.

Highlights

During the year there were 5174 applications for industrial designs, which was up about 6 percent from the 4883 applications received in 2006–07. Registrations totalled 5947, an increase of nearly 55 percent from the 3841 registrations in the previous year. Despite the increase in workload, CIDB exceeded published service standards and finished the year with an average TAT from filing to examiner's first action of 10 months.

In order to maintain client service quality considering the increase in industrial design applications for registration, CIDB created an Industrial Design Expert position responsible for quality assurance, quality control and efficiency relating to examination. The position has been a success and now includes a training program for new examiners.

In November 2007, work was completed on the Canadian Industrial Designs Database, which now includes the entire collection of 110 000 industrial designs registered since December 1861. In 2005, the initial phase of the database project was completed, making10 000 designs available that were registered after June 15, 2002. Since then all remaining designs that were registered prior to 2002 have been electronically captured. All 110 000 registered designs can now be accessed online, and users can search this database before filing to see if a particular design already exists.

Integrated circuit topographies

Integrated circuit topographies (ICTs) are three-dimensional configurations of semi-conductors, metals, insulators and other materials that make up the microchips found in products such as medical and aerospace equipment, consumer electronics and household appliances.

ICTs are their own form of IP and are considered vital to the operation of information, communications and entertainment technologies.

CIDB is responsible for processing and registering applications for ICTs on behalf of the Registrar of topographies, a title held by the Director of CIDB.

In 2007–08, no applications were received nor registered for ICTs.

Accessible, user-friendly products, services and processes

In 2007–08, CIPO formally embarked on a multi-year EBR initiative that will transform the way the organization does business. EBR will result in improved products, services and processes for clients and employees, and enable CIPO to determine what is needed for CIPO to become a leading IPO.

CIPO implemented a governance structure for EBR, and planned the first steps of the initiative. These first steps involved developing a set of desired business outcomes to define a shared vision of success for EBR, and identifying 15 key opportunities that will address three short- and long-term priorities: process redesign, key information technology (IT) enablers and e-services.

EBR's new governance structure includes a Steering Committee, Program Management Team and External Advisory Group. One of the Steering Committee's first tasks was to endorse the documented requirements for formal project management and business analysis functions. By the end of the fiscal year many key roles for the EBR Office had been filled, including communications and change management, administrative support, and strategic IT. The development of business requirements and a business case for centralizing and integrating client information has been identified as a priority component of the EBR strategy.

Highlights

Another key focus for CIPO is enhancing its electronic services for clients to simplify their access to CIPO services. This year, with the completion of the Canadian Industrial Designs Database, in November 2007, clients have online access to the entire collection of 110 000 industrial designs registered in Canada since December 1861.

CIPO kicked off the first phase of EBR "process modernization" by mapping the current processes in each branch and across four work packages:

- standard inputs, templates and client information;
- inbound mail handling;
- formalities and processing; and
- assignments.

CIPO has adopted and deployed a web content management system and implemented Common Look and Feel (CLF 2.0) standards as it revamps its website to enhance the client's experience. The website includes several new design features that users will find helpful in navigating the site, including quick links to many popular pages for both CIPO and Industry Canada (IC), and easy access to information on specific CIPO branches.

Electronic access was also improved for information on patents, trade-marks and copyrights. Enhancements were made to the Canadian Patents Database to improve and expand its search and navigation capabilities. Users can now access images through a single click, and toggle between English and French on all pages from the database. Other useful features include information on when the database was last updated or modified, and the ability to view pages in a single browser window. Information on trade-marks opposition and active section 45 cases was also made available online through the Canadian Trade-marks Database. Electronic services for copyrights were also improved, enabling clients to attach documentation to the registration request.

To gather best practices intelligence and to recommend an approach in the areas of document information sharing, data exchange and e-services, CIPO continued to openly dialogue with other IPOs and attended such international conferences on dissemination, data exchange and e-services at the EPO Patent Information Conference (Europe) and the Patent Information User Group Conference (U.S.)

Clear, consistent, accurate and comprehensive communications

To better understand and serve its clients, CIPO is committed to an ongoing process of client consultations to build awareness of key concerns and priority issues, and continually improve the delivery of its services, products and processes. To solidify this commitment, CIPO developed and published corporate consultation guidelines and reorganized its website to increase consultative visibility. A consultation calendar was developed and planned consultations were conducted throughout the year. Consultation feedback was subsequently shared across the organization as an important information source to the business planning process.

Highlights

Key consultations conducted over 2007–08 included the following:

- an internal survey was conducted to gain an understanding of employee satisfaction with current communications processes and tools and to understand employees' communications needs. The survey helped identify priorities for improving CIPO's internal communications practices. It also helped assess whether CIPO is successful in keeping employees informed as to corporate goals and priorities;
- CIPO conducted a series of focus groups with students to gain a better understanding of the student work experience at CIPO. Results were used to improve the work environment for students and to help CIPO attract, hire and retain qualified young professionals;
- a series of focus groups was also conducted with patent agents to gain client feedback on CIPO's current e-service offerings and to identify priorities for a proposed CIPO online patent file retrieval system;
- CIPO launched its fourth National Client Survey in March 2008. This flagship survey was designed to measure client satisfaction with CIPO products and services and monitor CIPO's progress in meeting clients' needs over time. The survey was also designed to help CIPO product lines identify specific opportunities to improve service and to help CIPO identify overall service improvement priorities in the short and medium term;
- an IP Awareness Survey was also launched late in the fiscal year targeting the environmental and industries sector to follow up on the generic IP Awareness Survey CIPO conducted in 2006. The purpose of the survey was to measure awareness, knowledge and effective use of IP in the environmental sector and to identify opportunities for improving CIPO's outreach services in the industry sector;
- CIPO gathered ongoing compliments, comments and complaints from clients throughout the year by means of its online feedback mechanism; and
- CIPO also participated in a telephone and online survey led by Agriculture and Agri-food Canada to assess new and emerging communications technologies.

CIPO developed an integrated database to help it maintain client lists for the purposes of conducting survey and focus group work. This interim database will eventually be replaced by a more integrated client information management (IM) system, which is planned as part of CIPO's EBR initiative.

CIPO continued to implement a range of service improvements arising from priorities identified in the 2005 National Client Survey. The survey identified three overarching drivers of client satisfaction: communications, accessibility and timeliness. CIPO's Service Improvement Plan subsequently identified priorities for improving the clarity, comprehensiveness and accuracy of communications with clients; access to CIPO's people, services and information; and TATs in various areas (e.g., time to first action, examination, refunds, complaints).

Improving communication with clients was again a primary focus and CIPO used various means to keep both clients and employees abreast of service improvement initiatives throughout the year. Externally, a "client page" was launched on CIPO's Internet site to bring various types of information together. Clients can now access a wide range of products, services and information with just one click. Internally, various means were used to update employees on service improvement related items, including CIPOnet, the *CIPO Info Weekly Digest* employee newsletter and the Managers' Forums.

Strategic direction: Outreach

This strategic direction focuses on ensuring that Canadian creators and innovators understand IP and use it effectively to enhance their innovation capabilities and acquire a competitive advantage in the marketplace.

A key part of CIPO's mandate is to increase the awareness, knowledge and effective use of the IP system and IP information. With the growing importance of IP in the global economy, it is essential that Canadian innovators and creators, along with IP practitioners and the business community, understand the importance of protecting IP and how to effectively use the IP system. CIPO's outreach activities are targeted primarily at SMEs and the education sector. To support outreach, CIPO also continues to strengthen and utilize strategic partnerships with a number of organizations, including federal departments and agencies, business associations and academic institutions.

Small and medium-sized enterprises (SMEs)

CIPO took further steps to develop a pilot project in the SME community to gain a more detailed understanding of what products and services best fit their needs, and gain intelligence on how best to deliver our products and services through our partners, networks and intermediaries.

In 2007–08, CIPO continued its efforts to inform and educate SMEs on the use of IP knowledge in acquiring a competitive advantage in the marketplace. To best measure the impact of outreach methodology, it was decided to focus on one industry sector. We consulted with branches within IC's Industry Sector, as well as with Environment Canada, Statistics Canada and the Canada Institute for Scientific and Technical Information, and concluded the environment sector offered the most opportunity. The pilot is ongoing and is providing us with intelligence and directions in determining the best means to communicate/engage small companies, securing collaboration of key partners and defining customized product and service tools. To support this research, initial development was begun on a survey to be launched in 2008–09 of SMEs in the environment sector to understand their IP information needs.

To encourage SMEs and universities to use the patent system, a number of regulatory changes were made during the year in order to simplify procedures and reduce processing times and costs.

A key delivery element of CIPO's Outreach Program is securing partners with shared objectives. In previous years, CIPO has worked with many organizations in varying degrees of informal arrangements across Canada. In 2007–08, CIPO's business development officers began researching over 30 national and regional organizations to assess them as "core partner" candidates. The results of this work will be analyzed in 2008–09.

Education sector

CIPO's education strategy is designed to facilitate the integration of IP and its strategic use into courses offered by engineering and science faculties at Canadian universities and colleges. This year CIPO followed up on the work done in 2006–07 to assess the IP courses in undergraduate and graduate courses.

We successfully negotiated and implemented a university pilot project, which is being coordinated through McMaster University.

McMaster University has established a Development Team made up of high level representatives from various educational institutions, such as the universities of Sherbrooke, Waterloo, Guelph, and Western Ontario as well as Mohawk College. This team will lead the development of IP case studies and teachers' guides that could be incorporated into existing courses. The pilot work includes an evaluation of the actual tools developed, as well as the overall cost-effectiveness versus impact of the case study approach.

As well, CIPO collaborated with l'Ordre des ingénieurs du Québec to provide new questions for use in their provincial engineers' exams. As part of our collaboration, CIPO also developed an IP-specific section to their study guide, which will be promoted to all engineer associations across the country, and contributed to an article on IP that was circulated to all Quebec members.

A unique new outreach initiative in 2007–08 was CIPO's first Canadian Youth Innovators' Tour, which followed the annual Canada-Wide Science Fair organized by the Youth Science Foundation Canada. The top three winners from the science fair were invited to visit CIPO's offices and received a personalized awareness session with a patent examiner.

Other federal government departments

In order to support the SME, education and general outreach activities, a broad overarching IP marketing strategy was drafted. This led to the development of a short-term partnership plan, key messages and process for identifying strategic events in a CIPO event opportunities calendar such as the 2007 World IP Day and Small Business Week initiatives. Plans were drafted in preparation of the 2008 World IP Day initiatives, to include the development, use and assessment of the webinar technology as a means to deliver information and training to our target sectors.

In its ongoing outreach efforts for 2007–08, CIPO continued its Bank of Speakers initiative. CIPO and IPIC offered four orientation sessions to Bank of Speakers' members, and delivered 51 IP information sessions to over 1750 participants consisting of SMEs and university audiences as well as intermediaries that represent a broad cross-section of local community economic development offices, technology transfer offices, regional, federal and provincial offices. Since its inception in 2004, 188 presentations have been delivered to more than 6500 participants.

In order to improve awareness of IP within the SME community, CIPO participated in 22 trade shows, through which it made contact with over 7250 participants.

CIPO's Client Service Centre received more than 70 000 requests from all over the world.

CIPO is an active participant on the IC Marketing Network chaired by IC's Communications and Marketing Branch and the SME Outreach Working Group chaired by IC's Small Business Policy Branch. CIPO also continued to be active in the Federal Partners in Technology Transfer network (led by National Research Council Canada [NRCC]) and the Partner Net network (led by Public Works and Government Services Canada). In addition, CIPO has held a number of meetings with key IC executives to explore opportunities and links of mutual benefit to our respective programs. A number of bilateral initiatives were identified and work began to action them. Examples of such initiatives are: an awareness session on the value of competitive intelligence in IP databases is being inserted in the Technology Road Maps process; maintaining close links with the High Education Research and Development Group of Science and Innovation Sector; and integrating an IP component into one of the Student Connections SME Training Modules. CIPO also delivered innovation seminars jointly with the National Sciences and Engineering Research Council of Canada, the Industrial Research Assistance Program (NRCC) and the Canada Revenue Agency in Manitoba, Saskatchewan and Alberta.

In support of this work with other federal government departments, early work was begun on "IP 101" and "CIPO 101" type courses and presentations, and prototypes were tested with CIPO Outreach staff.

Strategic direction: IP administrative framework

It is vital for Canada to have an internationally competitive IP framework in today's knowledge-based and globalized economy. Given its mandate and expertise, CIPO can and does play a major role in the ongoing evolution and modernization of Canada's IP laws, policies and regulations.

This strategic direction covers the policy, legislative, and regulatory framework of Canada's IP system. A modern, internationally competitive IP framework increases the benefits of the IP system to Canadians and helps Canadian industry become more competitive.

CIPO is committed to working effectively with its IP partners and stakeholders to achieve a world-class IP regime that is efficient and internationally competitive, and supports the modernization of CIPO's products, services and processes.

CIPO is continually seeking out ways it can improve the quality, timeliness and responsiveness of its services. Several regulatory amendments were made during the year to encourage small business entities to use the patent system, to simplify procedures and to reduce processing times and costs. Amendments to the *Patent Rules*, the *Trade-marks Regulations*, the *Industrial Design Regulations*, and the *Integrated Circuit Topography Regulations* came into force on June 2, 2007, and additional amendments to the *Trade-marks Regulations* came into force October 1, 2007.

These amendments will ensure that Canada's IP regime is more user-friendly, cost-effective and responsive to the needs of Canadian businesses and universities. The regulatory changes clarify the patent regime for small entities (i.e., universities or business entities employing 50 or fewer employees) while providing a relief mechanism for regular-sized entities that mistakenly pay fees at the small entity level. The amendments also improved the IP regime by simplifying procedures and reducing processing times and costs.

CIPO implemented several policy initiatives in 2007–08. In keeping with the Government's Paper Burden Reduction initiative which aims at reducing by 20 percent the number of regulatory requirements, CIPO's senior management has approved a plan on how CIPO can achieve this target. The above mentioned amendments to the five IP regulations are a component of that plan.

CIPO filed a submission before the Competition Panel appointed by the Minister of Industry that highlighted the linkages between a strong IP framework, harmonization, competitiveness and foreign investment in and out of Canada. The panel will present its final report entitled *Compete to Win* to the Minister of Industry on June 26, 2008.

Strategic direction: International activities

CIPO promotes Canada's international IP interests with a view to accelerating Canada's economic development. Our international efforts help Canadian innovators participate and contribute to a competitive, growing knowledge-based economy through a better international IP system. Our engagement to the improvement of the worldwide IP system, and to the benefit of Canadians, is made through our influence on international IP administrative policies and practices, and on sharing and acquiring best practices and business intelligence.

This strategic direction speaks to engaging the international IP community, by developing our strategic relationships with multilateral international organizations (e.g., WIPO, APEC, etc.) and other IPOs.

CIPO continues to provide technical assistance to developing countries. For example, CIPO hosted, in partnership with WIPO, an Executive Workshop on the Application of Management Techniques in the Delivery of Intellectual Property Services for nine senior officials from IPOs of developing countries. CIPO also participates in WIPO's search and examination of patent applications filed with industrial property offices under the Agreement for International Cooperation for the Search and Examination of Inventions.

Multilateral fora

CIPO works with other IPOs in pursuit of common goals to further advance the awareness and efficiency of the international IP system.

In September 2007, CIPO led the Canadian delegation during the WIPO General Assemblies to discuss IP issues that are critical to the socio-economic prosperity of all WIPO member states. Canada secured membership on key committees, including WIPO's Coordination Committee, which nominated a new Director General for the organization. Another important outcome of the General Assemblies was the adoption of 45 recommendations related to the Development Agenda. Throughout 2007–08, CIPO actively participated in numerous WIPO technical committees in view of improving international IP norms.

CIPO also led the Canadian delegation at the APEC–IPEG meetings in Chinese Taipei, in June 2007 and in Lima, Peru, in February 2008. IPEG is primarily a forum for sharing information and for promoting cooperation among APEC member economies. It provides an opportunity for CIPO to connect with other IPOs to advance its interests in its relationship with them, and to share best practices and explore the potential for leveraging bilateral or multilateral initiatives with Asia-Pacific member economies.

Relationships with IPOs around the world

CIPO works multilaterally with other IPOs on common initiatives that will benefit CIPO clients and contribute to broader Government of Canada initiatives.

In 2007–08, CIPO continued to strengthen its relationships with key IPOs. In September 2007, CIPO welcomed a visit from Commissioner Tian Lipu, Head of the State Intellectual Property Office of the People's Republic of China, for the Second Annual Meeting between Commissioners. These meetings provided an opportunity to discuss approaches to common challenges and share best practices. Also in September, CIPO hosted a delegation from the European Patent Office to exchange best practices related to patent examination.

The 2007 General Assemblies allowed the heads of IPOs to meet and discuss operational issues. Specifically, CIPO's Chief Executive Officer met bilaterally with the heads of IPOs from the United Kingdom, Japan, South Korea, United States and the European Patent Office.

On January 28, 2008, CIPO launched a one-year Canada–U.S. Patent Prosecution Highway (PPH) joint pilot project. The PPH initiative provides a means of significantly accelerating examination of patent applications if examination work has already been conducted at another IPO. Under the PPH agreements, if claims of an application have been found to be acceptable by a first IPO, an accelerated examination can be requested at a second IPO.

Strategic direction: Our people

CIPO recognizes that its employees are a vital strategic asset, integral to achievement of client service excellence and to its ongoing development as a world-class IPO. The strength of the organization will continue to depend on its ability to attract and retain a committed and competent workforce. CIPO continues its efforts to meet the challenges of effective human resources management in the context of responsible fiscal management, in an environment that includes increasing labour market competition for qualified IP professionals.

In its pursuit to build a committed workforce, CIPO continued to emphasize the importance of its employees throughout the year by moving forward on the three interconnected priorities of its human resources strategy: recruitment and retention, learning and development, and workplace well-being.

CIPO is committed to being one of the best employers in the Government of Canada. CIPO has initiated work to understand the drivers of employee engagement that are most critical for attracting and retaining qualified employees. The approach includes the validation of the drivers of employee engagement identified in a 2006 Conference Board report, as they apply to CIPO. The results will be used to identify specific, actionable areas where tangible improvements in engaging employees can be made.

Several major initiatives were implemented. A new human resource governance structure was implemented that includes a committee and three sub-committees (Recruitment and Retention, Learning and Development, and Workplace Well-Being) led by members of CIPO's management team. Performance measures were revised to more effectively align with CIPO's strategic direction on employees.

Communication with employees was another major initiative in 2007–08. CIPO created a new communications vehicle, the *CIPO Info Weekly Digest*, to communicate more effectively with employees. The digest includes a wide range of information of interest to employees, including corporate news and upcoming events, and is available on CIPOnet. In addition, the Human Resources site on CIPOnet was improved to make it easier for employees to find the information they need.

Recruitment and retention

To facilitate the integration of students, as well as the supervisor-student relationship, hiring managers attended a Workshop on Generational Differences. The workshop also included feedback from previous students on their work experience at CIPO. In addition, a study was conducted on the retention and career progression of recently recruited university graduates in the PM and SG-PAT groups.

A number of initiatives were put in place to streamline the recruitment process, including paving the way to collective staffing, and working with IC's Human Resources Branch, providing managers with better support and tools.

Learning and development

To promote continuous learning and professional development, new guiding principles on these topics were developed and all employees were asked to establish learning plans. A new official languages development component was also added to CIPO's Resource Centre. CIPO's Leadership Development Program (LDP) completed its second year, during which the focus was on updating information on the 200 participants' learning activities, organizing eight new courses, and course evaluation. LDP was instituted in response to a vision of building a community of highly-qualified managers by sharing knowledge and continuous learning. The LDP is based on four development streams: personal leadership, interpersonal leadership, managerial development and organizational awareness. It includes traditional courses and personalized services to enable participants to extend their general knowledge of leadership and to reflect on their personal leadership.

Workplace well-being

CIPO is committed to creating a workplace conducive to the physical, psychological and social well-being of employees, and creating an atmosphere that recognizes and respects diversity. Special emphasis was placed on diversity in the workplace throughout the year: a special Quiet Room was designated for employees to use for personal reflection or religious observance; all CIPO employees participated in diversity workshops; and special activities were organized in recognition of Diversity Day, Women's Day and Aboriginal Week.

For over 10 years, a telework option has been available to CIPO employees. Because of multiple barriers including the nature of the work, some employees are not eligible for this flexible working arrangement, although some functions are fully compatible with telework. Patent and trade-mark examination work is a very good example where telework can be extensively used.

It has been demonstrated by various organizations that telework is a business strategy that benefits its employees, the organization and the environment. To this end, CIPO's Well-Being Sub-Committee and IC's Human Resources Branch have supported the work to develop and implement a modern telework framework within the organization.

Strategic enablers

Management and accountability

CIPO is committed to enhancing its management practices and improving its accountability. As an SOA of IC, CIPO is accountable to the Canadian public as well as to current and prospective users of the IP rights regime. CIPO works to implement sound management principles and practices that are aligned with the Government of Canada's management accountability framework. Sound management will help to ensure the efficient delivery of effective results. Key elements on which CIPO is currently focused are financial resource management, the accountability and control framework, and strategic planning and reporting processes.

Financial context

This year marked a turning point for CIPO as it established a Finance Branch separate from the Planning and Administration Branch. The new branch undertook various initiatives to improve its budgeting processes and monitoring of financial results to support long-term revenue management and the allocation of resources. CIPO started integrating activity-based costing (ABC) into its budgeting activities, followed by a review of ABC activities and drivers. In addition, CIPO implemented the new salary resource management system developed government-wide to refine expenditure forecasting. CIPO also actioned recommendations from the organization's financial audit in order to improve financial reporting, supported by better reconciliation procedures. CIPO also reviewed its electronic payment and deposit account practices as part of its effort to streamline revenue management. The Branch also was a key participant in the design phase of CIPO's first four projects under the new EBR initiative.

Strengthening management

The organization strongly supports the government in its efforts to increase innovation by Canadians. To this end, the organization has finalized and published its Five-Year Strategic Plan entitled *Moving forward to Canada's Advantage*, available on CIPO's website. The strategic plan identified five strategic directions that reflect CIPO's vision for better enabling Canadians to participate and contribute to a competitive, growing, knowledge-based economy through the IP system: client services, outreach, the IP framework, international activities and our people.

CIPO implemented a new governance structure during the year to support sound decision making and good governance that is based on broader participation, differing organizational vantage points and comprehensive information. CIPO also improved its planning and reporting practices during the fiscal year. Changes to the planning process led to a substantial revision to one of CIPO's strategic directions, the development of new outcome statements for the organization and the development of performance indicators for CIPO's 2007–2012 Five-Year Strategic Plan. In addition, the new planning process resulted in a business plan that better aligns corporate priorities, branch plans and resource allocations, and integrates human resources, IM and IT, communications and other corporate plans. Finally, a mid-year review exercise was conducted, and will now become an annual event, to increase accountability for results and improve a broader corporate understanding amongst CIPO's management team.

During the 2007–08 fiscal year, CIPO undertook an effort to enhance its capability to forecast the demand for IP rights, in order to improve the management of resources dedicated to service delivery. This effort included the building of networks with other specialists in the field, including government, academia and other IPOs. Additionally, CIPO expended considerable effort to improve the quality and reliability of the data used in forecasting and economic models. These steps are important for the ongoing improvement of the organization's operational and strategic management, as well as its ability to support IC's efforts as they relate to using IP information to understand innovation in Canada.

CIPO also participated in IC's departmental risk assessment initiative to lay the groundwork to support the development of an integrated risk management strategy for the next year.

Internal and external communications

CIPO is committed to developing strong, relevant internal and external communications practices and the organization is working in close collaboration with like-minded partners at IC and other government departments to ensure that clients, stakeholders and international partners are kept informed of the latest initiatives of interest to them.

CIPO's 2005 National Client Survey demonstrated that satisfaction with communications is a key driver of overall client satisfaction with CIPO's products and services. During 2007–08, CIPO continued to enhance external communications by improving existing communication vehicles or by adding new vehicles.

CIPO's clients and stakeholders are now better informed via our new website:

- access to a range of products and services and a wealth of information through the new "Client Service" home page has been provided; and
- to better communicate to clients, the organization implemented a monthly newsletter entitled *CIPO News Updates* which is distributed electronically to subscribers and is also posted on our website.

CIPO also wants to position itself as an employer of choice and ensure that its employees are well aware of its direction and are fully engaged in achieving the organization's objectives.

Listening to employees and responding to their needs is part of our strategy to become one of the best employers in the Government of Canada.

During 2007–08, Corporate Communications continued to provide strong communications support and services to CIPO branches by providing a strategic communications approach for activities and initiatives involving communications with employees:

- in the fiscal year, a survey was conducted to assess the level of satisfaction with internal communications; a plan was prepared to respond positively and effectively to employee comments;
- all internal corporate communications have been centralized and are sent via the *CIPO Info Weekly Digest*;
- the Patent Branch, Copyright and Industrial Design Branch, Informatics Services Branch, and Trade-marks Branch now have an electronic newsletter sent to their own staff to keep them up to date; and
- nineteen Mary's Corner messages were sent to CIPO employees and posted on CIPOnet since her arrival at CIPO in April 2007.

The new governance structure gave CIPO the opportunity to improve how the organization communicates internally and to enhance leadership and participation across the organization.

Information and technology

Both IM and IT continue to grow in importance as drivers of service excellence in today's IP environment. The sheer volume of information is increasing as the IP regime becomes more complex and internationally focused. With a strong focus on client consultation and responsiveness, CIPO needs to have the IM and IT systems in place to make the growing body of IP information readily available to clients and to effectively manage all information to support both internal and external business requirements. A critical element in this area is to maintain expansion and innovation in the delivery of electronic services to clients.

Highlights

CIPO's IM and IT foundations are closely linked. Information technologies are integral to the collection, management and dissemination of information. IT initiatives support a broad range of business objectives and allow CIPO to deliver world-class e-services, speed up application processes and increase client satisfaction and self-sufficiency.

Information management

The Information Branch developed a function-based file classification plan for unstructured corporate electronic information, to be implemented once an electronic document management system has been selected, as a priority component of the EBR strategy. It also inventoried the paper archives both onsite and offsite and disposed of more than 12 000 boxes of paper information that had reached the end of its life cycle and held no archival value. In addition, as its virtual collection increased, the CIPO Resource Centre (RC) removed any corresponding print material from the print collection. The RC obtained approval to remove more than 1150 titles from its print collection, thus reducing its footprint size sufficiently to turn back much needed space to the Branch.

An Internet Publishing and Archiving Toolkit was developed for Internet content developers at CIPO to guide them through the content development, Internet publishing, archiving and content management processes. This toolkit will be made available on CIPOnet in the new year.

In response to Treasury Board's Information Management Directive which came into effect in October 2007, CIPO promoted an increased awareness of IM by launching a comprehensive IM presence on CIPOnet and through the delivery of 20 IM presentations to approximately one-third of CIPO's employees. In the latter part of the year, development of formal IM training for employees and managers began. This training will be available in early 2008–09.

The RC serves the information needs of all branches across CIPO and offers organization-wide electronic access to diverse, comprehensive and current collections (49) of non-patent literature. Nearly 30 000 full text electronic journals and 6200 full-text electronic book titles are available through these sources of information. This year, the RC processed 9350 electronic document delivery requests, circulated 9400 print titles and responded to slightly more than 6000 reference and research requests.

The RC is committed to empowering its clients by making virtual collections available on the desktop and promoting client self-sufficiency through search training. This year, the RC observed a reduction in document delivery requests (3 percent), directly attributable to training and improved client self-sufficiency.

Information technology

During 2007–08, CIPO continued to upgrade its IT services in ways that will help it meet customer needs and improve service. The delivery of these e-services also kept CIPO technologically current with other leading IPOs. The new IT projects included:

- Patent Data Export, Phase I, which will allow CIPO to exchange information with other countries who are signatories to the Permanent Committee on Industrial Property Information Agreement with WIPO;
- an updated website with improved access to information of most interest to CIPO's clients, and in a new format that meets the new IC branding and the Treasury Board Common Look and Feel (CLF 2.0) Guidelines;
- search and navigation upgrades to the Canadian Patents Database;
- improvements to the copyright e-services that enable clients to attach grants of interest documents to their applications; and
- back capture and electronic availability of all 110 000 designs registered in the Canadian Industrial Designs Database since 1861.

In anticipation of additional electronic services the Informatics Services Branch also developed a broad, forward-looking strategy for the development of CIPO's electronic capacity, and prepared a training plan and high-level implementation plan to support EBR's IT elements.

The IT Operational Plan was delivered as planned, and all service levels for infrastructure and application development were met as per the Service Level Agreement between the Informatics Services Branch and CIPO branches. The Inquire/Text Replacement project encountered some delays due to resource availability, but these have not caused any business impacts. The project will be completed in 2008–09. The Canadian Patents Database Search Engine Upgrade was delivered as planned, as was the searchable Canadian Industrial Designs Database.

IT processes in the areas of resource management and architecture development and management were improved, and have reached Level 3 of the Carnegie-Mellon Maturity Model (based on self-assessment).

IT infrastructure services were centralized under IC's Chief Information Officer as of April 1, 2008.

Conclusion

IP plays a critical role in Canadian economic performance and trade development. Innovators and creators using IP represent a significant force in the Canadian economy. CIPO has an important responsibility to help Canadian innovators and creators reap the full benefits offered by the Canadian IP system.

Throughout 2007–08, CIPO enhanced the level of client service by further reducing TATs for key client services, improving client communication in innovative ways, and expanding online services. With the formal launch of the corporate-wide EBR initiative, CIPO will transform its business practices over the next several years and will offer clients a full range of user-friendly service offerings. EBR is a critical element of CIPO's Five-Year Strategic Plan, which is based on five strategic directions that will enable CIPO to deliver superior value to clients and stakeholders: client services, outreach, the IP administrative framework, international activities and our people.

For the year ahead, client service will remain one of CIPO's key areas of focus as we continue to make progress on the EBR initiative. In addition, the organization will concentrate on other client service initiatives, such as improving the timeliness and quality of specific product line activities, understanding our clients' needs, providing information to clients, and conducting business electronically.

CIPO has an important role to play in helping Canadians understand, in straightforward terms, what IP means to our economic, social and humanitarian objectives as a country. To increase the awareness, knowledge and effective use of IP by Canadians is a core responsibility set out in CIPO's mandate. The management and exploitation of innovative knowledge can be a decisive determinant of business success. It is vital that Canada's small businesses and start-ups use the IP system to propel their domestic and international success.

CIPO is committed to enhancing its outreach efforts so that the organization can play a more effective role in supporting Canada's efforts to become a world leader in turning ideas into practical and commercial applications. The organization intends to lead IPOs in the development of customized IP information, tools and services to assist Canadian SMEs in acquiring competitive advantage in the marketplace so that increased IP knowledge and use become measurable factors in their global success.

Audited financial statements

Management report

We have prepared the accompanying financial statements of the Canadian Intellectual Property Office Revolving Fund (the "Fund") as required by and in accordance with the policy of Treasury Board on revolving funds, and the reporting requirements and standards of the Receiver General for Canada. These financial statements were prepared by the management of the Fund in accordance with the significant accounting policies set out in Note 2 of the financial statements, on a basis consistent with that of the preceding year.

Responsibility for the integrity and objectivity of these financial statements rests with the management of the Fund. The information included in these financial statements is based on management's best estimates and judgment with due consideration given to materiality. To fulfill its accounting and reporting responsibilities, the Fund maintains a set of accounts, which provides a centralized record of the Fund's financial transactions. Financial information contained in the ministerial statements and elsewhere in the Public Accounts of Canada is consistent with that in these financial statements, unless indicated otherwise.

The Fund's directorate of financial services develops and disseminates financial management and accounting policies and issues specific directives, which maintain standards of accounting and financial management. The Fund maintains systems of financial management and internal control, which gives due consideration to costs, benefits and risks. They are designed to provide reasonable assurance that transactions are properly authorized by Parliament, are executed in accordance with prescribed regulations, and are properly recorded to maintain accountability of government funds and safeguard the assets under the Fund's administration. The Fund also seeks to assure the objectivity and integrity of data in its financial statements by the careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that its regulations, policies, standards and managerial authorities are understood throughout the organization.

At the request of the Fund, these financial statements have been examined by external auditors, their role being to express an opinion as to whether the financial statements present fairly the financial position as at March 31, 2008, and the results of operations and cash flow for the year then ended in accordance with the accounting principles for revolving funds of the Government of Canada as described in Note 2 to the financial statements.

Approved by:

Mary Carman
Commissioner of Patents,
Registrar of Trade-marks and
Chief Executive Officer

André Rousseau, CGA
Director, Finance Branch

May 30, 2008

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AUDITORS' REPORT TO THE DEPUTY MINISTER, INDUSTRY CANADA

We have audited the statement of financial position of the Canadian Intellectual Property Office Revolving Fund as at March 31, 2008 and the statements of operations and net assets (liabilities) and cash flow for the year then ended. These financial statements have been prepared to comply with Section 4 of the Treasury Board of Canada's Policy on Special Revenue Spending Authorities and the Revolving Funds Act. These financial statements are the responsibility of the management of the Canadian Intellectual Property Office Revolving Fund. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Canadian Intellectual Property Office Revolving Fund as at March 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with the accounting principles for revolving funds of the Government of Canada as described in Note 2 to the financial statements.

These financial statements, which have not been, and were not intended to be, prepared in accordance with Canadian generally accepted accounting principles, are solely for the information and use of the management of the Revolving Fund and the Treasury Board of Canada Secretariat for reporting on the use of the Fund authority. The financial statements are not intended to be and should not be used by anyone other than the specified users or for any other purpose.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

Ottawa, Canada

May 30, 2008

Statement of Authority Provided (Used) (Unaudited)
for the year ended March 31, 2008 (in thousands of dollars)

	2008		2007	
	Estimates	Actual	Estimates	Actual
Net results	600	14 632	110	14 986
Add: items not requiring the use of funds	7 245	4 532	8 719	5 517
Operating source (use) of funds	7 845	19 164	8 829	20 503
Less: items requiring use of funds				
Net capital acquisitions	8 000	2 916	6 000	4 515
Net other assets and liabilities	894	(5 022)	(4 890)	(12 494)
Authority provided (used)	(1 049)	21 270	7 719	28 482

The accompanying notes form an integral part of these financial statements.

Reconciliation of Unused Authority (Unaudited)
as at March 31, 2008 (in thousands of dollars)

	2008	2007
Debit balance in the accumulated net charge against the Fund's authority (ANCAFA)	(139 353)	(110 844)
Transfer from Treasury Board for employees termination benefits	(736)	(264)
Supplementary estimates	—	(390)
	(140 089)	(111 498)
Add: payables at year-end charges against the appropriation account after March 31	12 812	3 889
Less: amounts credited to the appropriation account after March 31	2 547	1 565
Other items	4 376	3 020
Net authority provided, end of year	(134 200)	(112 194)
Authority limit	5 000	5 000
Unused authority carry forward	139 200	117 194

The accompanying notes form an integral part of these financial statements.

Statement of Financial Position
as at March 31, 2008 (in thousands of dollars)

	2008	2007
Assets		
Current		
Petty cash	2	2
Accounts receivable		
Government of Canada	880	861
Outside parties	2 403	1 595
Unbilled revenues	7 390	7 259
Prepaid expenses	171	234
	19 846	9 921
Capital assets (Note 3)	13 933	17 461
Unbilled revenues	1 747	998
	26 526	28 380
Liabilities		
Current		
Deposit accounts	2 339	1 884
Accounts payable		
Government of Canada	7 579	1 841
Outside parties	9 510	6 997
Deferred revenues	39 623	37 160
	59 051	47 882
Employee termination benefits and vacation pay	9 487	8 464
Deferred revenues	48 317	46 891
	57 804	55 355
Deferred capital assistance (DCA) (Note 4)	—	1 595
Commitments (Note 6)		
Contingencies (Note 10)		
Net liabilities (Note 5)	(90 329)	(76 452)
	26 526	28 380

The accompanying notes form an integral part of these financial statements.

Statement of Operations and Net Liabilities
for the year ended March 31, 2008 (in thousands of dollars)

	2008	2007
Revenues	144 552	138 258
Expenses		
Salaries and employee benefits	88 070	81 486
Professional services	23 100	20 751
Amortization of capital assets	6 445	13 369
Accommodation	7 792	7 625
Materials and supplies	2 105	1 921
Information	211	308
Communications	745	879
Travel	664	657
Freight and postage	455	383
Repairs and maintenance	1 051	1 140
Training	697	910
Rentals	181	175
Loss on disposal of capital assets	—	53
	131 516	129 657
Net results before amortization of DCA	13 036	8 601
Amortization of DCA	1 596	6 385
Net results	14 632	14 986
Net liabilities, beginning of year	(76 452)	(62 289)
Net financial resources used (provided) and change in the ANCAFA account, during the year	(28 509)	20 851
Transfer of part of the accumulated surplus to the ANCAFA (Note 1)	—	(50 000)
Net liabilities, end of year	(90 329)	(76 452)

The accompanying notes form an integral part of these financial statements.

Statement of Cash Flow
for the year ended March 31, 2008 (in thousands of dollars)

	2008	2007
Operating activities		
Net results	14 632	14 986
Add: amortization of capital assets	6 445	13 369
Add: loss on disposal of capital assets	—	53
Less: amortization of DCA	1 596	6 385
	19 481	22 023
Changes in working capital (Note 7)	10 244	6 517
Changes in other assets and liabilities		
Unbilled revenues	(749)	1 174
Employee termination benefits and vacation pay	1 023	1 429
Deferred revenues	1 426	2 521
	1 700	5 124
Net financial resources provided by operating activities	31 425	33 664
Investing activities		
Capital assets acquired	(2 916)	(4 515)
Financing activities		
Transfer of part of the accumulated surplus to the ANCAFA (Note 1)	—	(50 000)
Net financial resources provided (used) and change in the ANCAFA account, during the year	28 509	(20 851)
ANCAFA account, beginning of year	110 844	131 695
ANCAFA account, end of year (Note 5)	139 353	110 844

The accompanying notes form an integral part of these financial statements.

Notes to financial statements
Year ended March 31, 2008

1 — Purpose and authority

The Canadian Intellectual Property Office Revolving Fund (the "Fund") grants or registers exclusive ownership of IP in Canada. In exchange, the Fund acquires IP information and state-of-the-art technology which it disseminates to Canadian firms, industries and individuals to improve economic performance and competitiveness and to stimulate further invention and innovation.

The Fund was established on April 1, 1994. The authority to make expenditures out of the Consolidated Revenue Fund was granted on February 22, 1994, and has an authorized limit of $15 million. During the fiscal year ended March 31, 2002, the Fund's authorized limit was reduced from $15 million to $5 million. The Fund has continuing non-lapsing authority from Parliament to make payments out of the Consolidated Revenue Fund for working capital, capital acquisitions and temporary financing of accumulated operating deficits. The Fund may retain surpluses to continue to automate operations.

Pursuant to Treasury Board decision # 833200 (Budget 2006 Spending Restraint), dated November 30, 2006, and effective in 2006–07, the Fund transferred $50 million of its accumulated surplus to the accumulated net charge against the Fund's authority (ANCAFA).

2 — Significant accounting policies

BASIS OF ACCOUNTING

The financial statements have been prepared in accordance with the reporting requirements for revolving funds as described by the Receiver General for Canada. The basis of accounting used in these financial statements differs from Canadian generally accepted accounting principles because services received without charge from other government departments are not reported as expenses; the expenses and liability for termination benefits excludes the portion not funded by the Fund and contingent liabilities are disclosed rather than recorded.

The significant accounting policies are as follows:

Revenue recognition

Revenue derived from processing patent, trade-mark and industrial design applications is recognized using the percentage of completion method as work progresses. Fees received in advance of work being completed are recorded as deferred revenues. When work is completed prior to the receipt of the fee, the amount is recorded as unbilled revenue. In 2007–08, the method by which the Fund estimates the level of effort required within each of the different phases of the process for trade-mark applications was revised, resulting in a decrease of $1.5 million in earned revenue being recognized in 2008 compared to the preceding method. Maintenance fees and other revenue are recognized upon receipt. Fees are prescribed by various orders-in-council.

Capital assets and amortization

Capital assets are recorded at cost and are amortized on a straight-line basis over their estimated useful lives, beginning in the month after acquisition, as follows:

Software	3 years
Hardware	3–5 years
Furniture	10 years
Equipment	10 years
Leasehold improvements	5 years
Systems	Estimated useful life, beginning in the year of deployment

Deferred capital assistance

The Fund received $63.8 million from the Crown for the development of the TechSource automation project, which was implemented in 1997–98. The deferred capital assistance (DCA) was amortized on a straight-line basis over the estimated useful life of the TechSource system and was fully depreciated at the end of the current fiscal year.

Employee termination benefits

Employees of the Fund are entitled to specified termination benefits, calculated based on salary levels in effect at the time of termination as provided for under collective agreements and conditions of employment. Employee termination benefits earned prior to an employee joining the Fund are a liability of the Treasury Board and accordingly have not been recorded in the accounts. As at March 31, 2008, the Treasury Board liability for the Fund's employees is $4.3 million (2007 — $4.8 million). The liability for benefits earned after an employee joins the Fund is recorded in the accounts as the benefits accrue to employees.

The Treasury Board will only fund this portion of the past services up to and including the 15th year of the Fund's operation. In 2009–10, the long-term liability account for termination benefits will be adjusted accordingly with an offset against the Fund's accumulated surplus.

Pension plan

Employees of the Fund are covered by the Public Service Superannuation Plan administered by the Government of Canada. Under present legislation, contributions made by the Fund to the Plan are limited to an amount equal to the employee's contributions on account of current service. These contributions represent the total pension obligations of the Fund and are charged to operations on a current basis. The Fund is not required under present legislation to make contributions with respect to actuarial deficiencies of the Public Service Superannuation Account and/or with respect to charges to the Consolidated Revenue Fund for the indexation of payments under the *Supplementary Retirement Benefits Act*.

Use of estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Capital assets, revenues and human resource related accrued liabilities are the most significant items for which estimates are used. Actual results could differ from these estimates. These estimates are reviewed annually, and, as adjustments become necessary, they are recorded in the financial statements in the period in which they become known.

3 — Capital assets and accumulated amortization (in thousands of dollars)

	Cost March 31, 2007	Additions	Disposals	Cost March 31, 2008	Accumulated amortization	Net carrying value
Leasehold improvements	22 181	40	—	22 221	18 601	3 620
Software	9 537	963	—	10 500	8 665	1 835
Hardware	2 692	24	—	2 716	2 554	162
Equipment	—	30	—	30	—	30
Furniture	—	44	—	44	2	42
Systems						
INTREPID	3 984	—	—	3 984	3 855	129
TechSource	88 240	—	—	88 240	86 076	2 164
Other	11 164	—	—	11 164	10 282	882
Systems under development	3 254	1 815	—	5 069	—	5 069
Total	141 052	2 916	—	143 968	130 035	13 933

4 — Deferred capital assistance (DCA) (in thousands of dollars)

	2008	2007
DCA contribution	63 848	63 848
Less: accumulated amortization	63 848	62 253
Net book value	—	1 595

5 — Net liabilities (in thousands of dollars)

ACCUMULATED NET CHARGE AGAINST THE FUND'S AUTHORITY (ANCAFA)

The ANCAFA is the cash position of the Fund, held by the government on behalf of the Fund.

ACCUMULATED SURPLUS

The accumulated surplus is an accumulation of each year's surpluses, including the absorption of the opening deficit of $9.4 million upon establishment of the Fund.

	2008	2007
Accumulated surplus, beginning of year	34 392	69 406
Net results	14 632	14 986
Transfer of part of the accumulated surplus to the ANCAFA (Note 1)	—	(50 000)
Accumulated surplus, end of year	49 024	34 392
ANCAFA, end of year	(139 353)	(110 844)
Net liabilities	(90 329)	(76 452)

6 — Contractual obligations (in thousands of dollars)

The Fund is engaged in contractual obligations for :

Information technology services with Public Works and Government Services Canada	2009	6 564
	2010	6 776
		13 340
Operating leases for its office premises	2009	6493
	2010	1711
	2011	1646
		9850
Applications development and maintenance within the framework of the Continued Systems Improvements Program	2009	2713
Searching services and access to online databases	2009	3249
	2010	1070
	2011	126
		4445

7 — Changes in working capital (in thousands of dollars)

Components of the changes in current assets and liabilities include:

	2008	2007
Accounts receivable	(857)	711
Unbilled revenues (short term)	(131)	(1188)
Prepaid expenses	63	(12)
Deposit accounts	455	(5)
Accounts payable	8 251	(651)
Deferred revenues (short term)	2 463	7662
	10 244	6517

8 — Related party transactions

Through common ownership, the Fund is related to all Government of Canada–created departments, agencies and Crown corporations. Payments for accommodation, translation, legal services, compensation and benefits services, mail services, security services, and mainframe and computing services are made to related parties in the normal course of business.

9 — Insurance

The Fund does not carry insurance on its property. This is in accordance with the Government of Canada policy of self-insurance.

10 — Contingencies

SICK LEAVE

Employees are permitted to accumulate unused sick leave. However, such leave entitlements do not vest and can be used only in the event of illness. The amount of accumulated sick leave entitlements which will become payable in future years cannot reasonably be determined and accordingly have not been recorded in the accompanying financial statements. Payments of sick leave benefits are included in current operations as incurred.

11 — Income taxes

The Fund is not subject to income taxes.

Additional financial information

Revolving fund

As an SOA within IC, with a revolving fund authority, CIPO finances its operations entirely from revenues generated by fees received from the provision of IP services.

The financial statements of CIPO's Revolving Fund (the "Fund") have been prepared in accordance with the reporting requirements for revolving funds described by the Receiver General for Canada. The basis of accounting used in these financial statements differs from Canadian generally accepted accounting principles because services received without charge from other government departments are not reported as expenses; the expenses and liability for termination benefits excludes the portion not funded by the Fund; and contingent liabilities are disclosed rather than recorded. Some of the information included in these financial statements is based on management's best estimates and judgment, with due consideration given to materiality.

CIPO develops accounting policies and maintains the financial systems and internal controls necessary to fulfill its accounting and reporting responsibilities. By adhering to sound financial management practices and internal accounting controls, CIPO's financial administration provides reasonable assurance that transactions are recorded and executed in accordance with its authority, and that its assets are safeguarded.

In the context of modern comptrollership, and to improve managerial accountability and reporting, external auditors are hired to examine the financial statements and to express an opinion as to whether they present fairly CIPO's financial position at year-end.

Management report

Balance sheet

The balance sheet of the Fund reveals that CIPO is in good financial health. At the end of March 2008, the balance sheet (Note 5) indicates an accumulated net charge against the fund's authority (ANCAFA — representing the cash situation of the Fund) of $139.4 million or $51.5 million if current and long-term deferred revenues are excluded. An amount of $9.1 million is recorded under unbilled revenues, which represents the value of work completed prior to the receipt of the fee. This relates mainly to trade-mark examinations and registrations where part of the examination fee is received before the work starts (recorded under deferred revenues) and the second part is received after the work is completed and accounted for under the unbilled revenues.

The capital assets of $13.9 million, net of depreciation, represent mainly the net value of the Product Lines systems, the leasehold accommodation, and IT systems and software under development. Every year, investments are made to increase an IT capability that is closely aligned with CIPO's business objectives and requirements.

Under liabilities, the current and long-term deferred revenues of $39.6 million and $48.3 million, respectively, represent the prepaid amount for services to be provided in the near future and are directly linked with the inventory of patent and trade-mark files to be examined. Note the total current deferred revenues account, representing an increase of $2.4 million from last year, represents the equivalent of the work to be performed during the coming year. The accounts payable of $17.1 million represents an increase of $8.3 from last year and are mainly related to employees benefits expenses. Other financial elements of assets and liabilities remain relatively stable.

The accumulated surplus stands at $49 million as of March 31, 2008. The accumulated surplus ensures that CIPO will be able to remain both fiscally responsible and viable and will be in the position to maintain/improve service levels. This includes for instance, reducing TATs and investing in the renewal and expansion of IT systems for the delivery of improved products and sevices to meet the evolving needs of clients, international obligations and to keep pace with the product and service offerings of other international IPOs.

Income statement

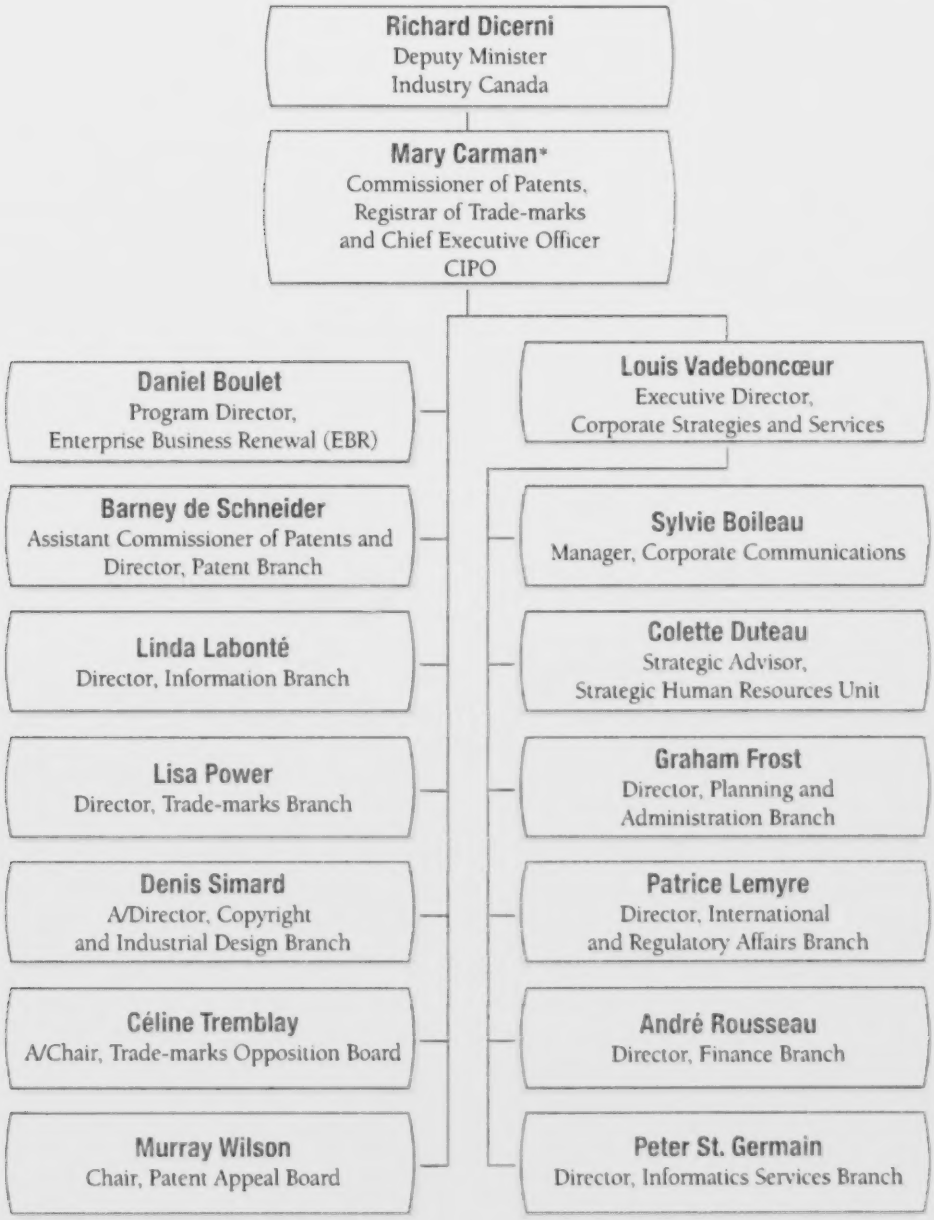
Revenues for fiscal year 2007–08 equal $144.5 million, which represents an increase of $6.3 million over last year. This increase comes mainly from the implementation of new fees for applications, examinations and maintenance on January 1, 2004, supported by steady growth in demand and the improvements in CIPO's capacity to meet this demand through key business commitments.

Expenditures for the same period equal $129.9 million and are $6.6 million higher than last year; salary expenses represent the large part of this increase. This can be explained mainly by the significant hiring of new examiners to deal with the growing demand for IP products and services. These investments in human resources have already had a significant positive impact on TATs in many areas and consequently generate additional revenues. We also note an increase of $2.3 million in professional services (mainly related to the increase in IT costs) and a reduction of $6.9 million in amortization of capital assets. Thus, the net result was $14.6 million in income.

For more detail on revenues and expenditures, please refer to the charts in Appendix B.

Appendix A

Organizational structure 2007–08



* The Commissioner of Patents and Registrar of Trade-marks act independently when making quasi-judicial decisions.

Appendix B

Financial charts

Figure 1 Revenues by products and services

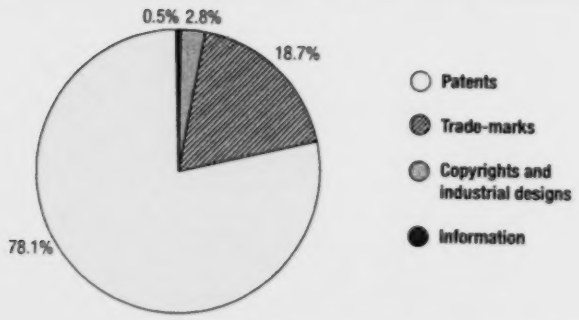


Figure 2 Operating expenditures by category

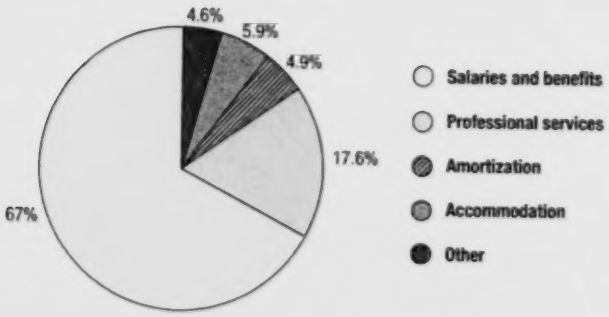


Figure 3 Expenditures by branch grouping

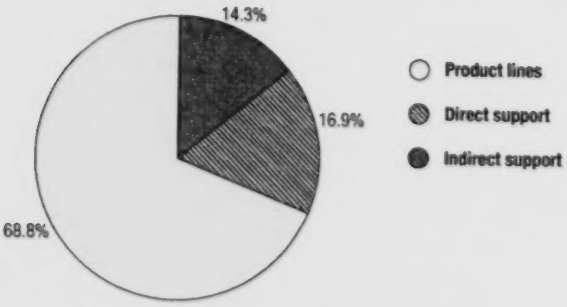


Figure 4 Patent revenues

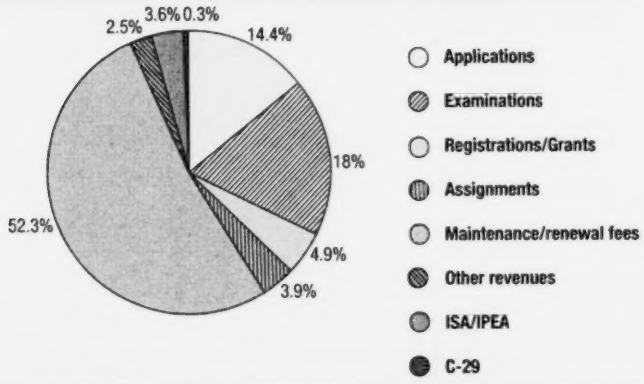


Figure 5 Trade-mark revenues

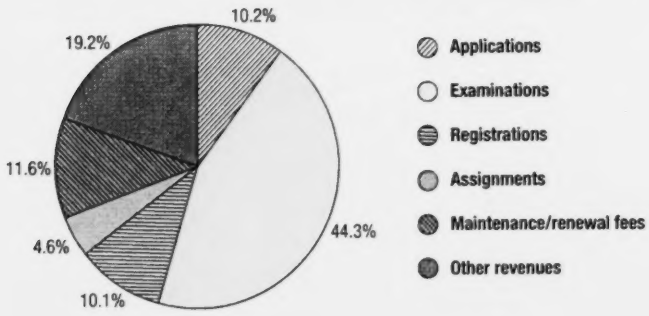
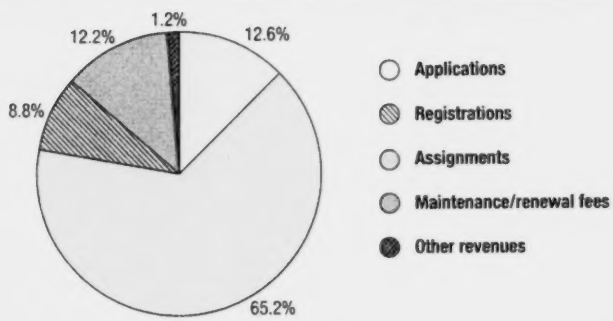


Figure 6 Copyright and industrial design revenues



Appendix C

Statistics

TABLE 1
Product output

	2005–06	2006–07	2007–08
Applications			
Patents	40 044	40 873	41 321
National	11 749	10 879	10 642
Patent Cooperation Treaty	28 295	29 994	30 679
Trade-marks	43 616	45 374	47 586
Copyrights	8 617	8 504	9 321
Industrial designs	4 682	4 883	5 174
Integrated circuit topographies	2	8	—
International Search Authority (ISA)	2 014	2 204	2 385
International Preliminary Examining Authority (IPEA)	154	415	430
Requests for examination			
Patents	28 352	28 622	27 116
Disposals			
Patents	32 113	32 806	33 673
Grants/Registrations			
Patents	15 331	16 100	18 554
Trade-marks	25 485	23 236	25 314
Copyrights	8 251	8 432	9 254
Industrial designs	3 469	3 841	5 947
Integrated circuit topographies	2	8	—
Abandonments			
Trade-marks	14 797	14 826	15 243
Copyrights	42	104	132
Industrial designs	328	455	527
Maintenance/Renewals			
Patents	291 654	286 552	307 382
Trade-marks	8 795	8 282	8 688
Industrial designs	1 601	1 726	1 259
Assignments			
Patents	57 220	50 012	43 911
Trade-marks	32 323	31 372	44 393
Copyrights	1 249	1 822	2 009
Industrial designs	1 976	1 455	2 265
Integrated circuit topographies	2	—	—
Enquiries			
Patents	21 718	20 291	21 615
Status requests (patents)	749	1 825	735
Trade-marks	20 009	19 384	20 870
Copyrights	7 957	7 082	7 430
Industrial designs	1 290	1 240	1 076
Integrated circuit topographies	44	35	10
General information	1 285	20 962	19 114
Other	196	n/a	n/a

Trade-mark statistics

TABLE 2
Trade-mark applications filed by language

	2005–06	2006–07	2007–08
English	40 260	41 849	43 898
French	3 356	3 525	3 688
Total	**43 616**	**45 374**	**47 586**

TABLE 3
Trade-mark applications filed and registered by province/territory

	Filed	Registered
Alberta	1 839	1 238
British Columbia	3 062	1 580
Manitoba	388	263
New Brunswick	209	127
Newfoundland and Labrador	86	56
Northwest Territories	6	6
Nova Scotia	259	125
Nunavut	0	8
Ontario	10 022	5 598
Prince Edward Island	56	18
Quebec	4 652	2 747
Saskatchewan	244	98
Yukon	10	9
Total	**20 833**	**11 873**

TABLE 4
Top 10 trade-mark applicants

The Procter & Gamble Company	264
Johnson & Johnson (A Legal Entity)	183
Spin Master Ltd.	136
Glaxo Group Limited	132
Novartis AG	126
Dundee Corporation	113
L'Oréal, Société Anonyme	104
Unilever Canada Inc.	94
Hasbro, Inc.	80
MARS Canada Inc.	79

TABLE 5
Top 10 trade-mark registrants

The Procter & Gamble Company	129
Dundee Corporation	75
Unilever Canada	51
Kohler Co., A Corporation Organized	47
Canadian Tire Corporation, Limited	45
L'Oréal, Société Anonyme	41
The Bank of Nova Scotia	41
Sony Kabushiki Kaisa A/T/A Sony Corporation	40
Canadian Hockey Association	38
BSH Home Appliances Corporation	37

TABLE 6
Trade-marks Opposition Board — Operational statistics

	2005–06	2006–07	2007–08
Statements of opposition filed	1232	1114	1384
Opposition decisions rendered	82	133	140
Opposition abandonments	795	777	654
Section 45 notices issued	593	640	568
Section 45 decisions rendered	622	484	506

TABLE 7
Trade-mark applications filed and registered by origin as stated by applicant

	Filed	Registered
Algeria	1	0
Andorra	1	0
Anguilla	4	0
Antigua and Barbuda	9	0
Argentina	33	23
Australia	487	226
Austria	116	68
Bahamas	28	15
Bahrain	2	0
Barbados	79	32
Belarus	0	1
Belgium	174	72
Belize	7	1
Benelux Office for IP (Luxembourg)	1	0
Benelux Office for IP (Netherlands)	2	0
Bermuda	50	10
Bosnia-Herzegovina	2	0
Brazil	61	39
British Virgin Islands	60	29
Bulgaria	3	1
Canada	20 841	11 873
Cayman Islands	53	14
Channel Islands	3	5
Chile	45	29
China	431	225
Colombia	18	11
Cook Islands	1	0
Costa Rica	0	1
Croatia	0	4
Cuba	5	0
Cyprus	7	4
Czech Republic	20	5
Democratic People's Republic of Korea	2	1
Denmark	131	91
Dominica	1	0
Dominican Republic	4	0
Ecuador	4	1
Egypt	1	3
El Salvador	1	0
Estonia	3	2
Finland	85	45
France	1 212	658
Georgia	1	0
Germany	1 672	735
Gibraltar	10	4
Greece	6	9
Guatemala	19	3
Guernsey	4	0
Guyana	1	4
Haiti	1	0
Honduras	2	0
Hong Kong, China	150	55
Hungary	5	4
Iceland	18	6
India	63	31
Indonesia	6	1
Iran (Islamic Republic of)	8	0
Iraq	2	0
Ireland	116	55
Isle of Man	16	1
Israel	100	39
Italy	585	357
Jamaica	5	1
Japan	947	575
Jersey	1	0
Jordan	2	1
Kenya	3	1
Kuwait	10	2
Lebanon	5	2
Liechtenstein	31	13
Lithuania	1	0
Luxembourg	77	32
Macau	4	0
Malaysia	12	9
Malta	4	4
Mauritius	4	4
Mexico	147	38
Monaco	27	10
Morocco	1	0
Netherlands	412	194
Netherlands Antilles	15	7
New Zealand	111	53
Nicaragua	1	0
Norway	59	28
Oman	0	1
Pakistan	7	1
Panama	24	22
Paraguay	1	0
Peru	9	1
Philippines	15	7
Poland	30	23
Portugal	61	19
Qatar	2	0
Republic of Korea	216	95
Republic of Moldova	0	1
Romania	5	2
Russian Federation	36	12
Saint Kitts and Nevis	0	2
Saudi Arabia	18	4
Seychelles	3	4
Singapore	55	30
Slovakia	5	2
Slovenia	6	4
South Africa	53	48
Spain	276	118
Sri Lanka	2	2
St. Lucia	3	0
Sweden	230	128
Switzerland	912	424
Syrian Arab Republic	1	1
Taiwan	131	84
Tanzania (United Republic of)	5	0
Thailand	21	27
Togo	1	0
Trinidad and Tobago	3	0
Tunisia	3	0
Turkey	47	14
Turks and Caicos Islands	0	8
Ukraine	10	0
United Arab Emirates	32	10
United Kingdom	1 276	549
United States of America	15 404	7 871
Uruguay	10	3
Vanuatu	1	0
Venezuela	2	0
Vietnam	1	7
West Indies	17	23
Total	47 586	25 314

Figure 7 Trade-mark turnaround times to examination

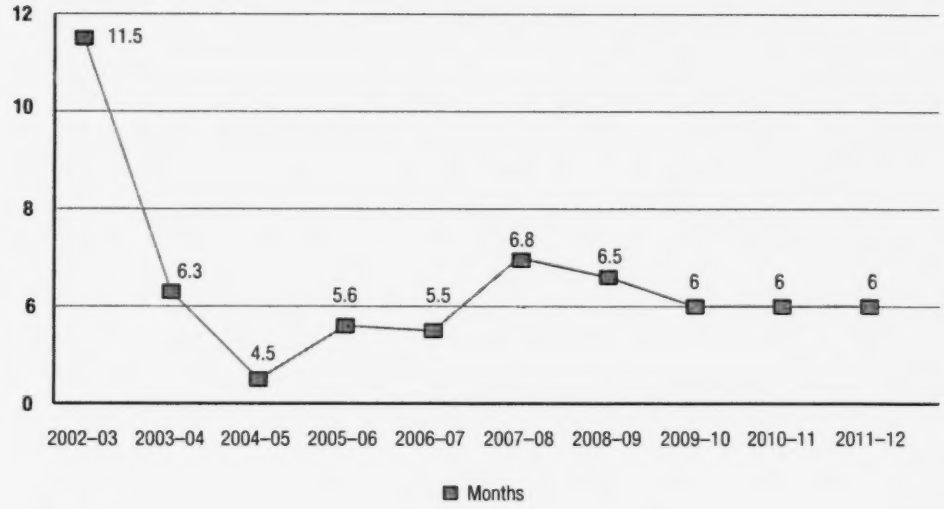


Figure 8 Trade-mark applications

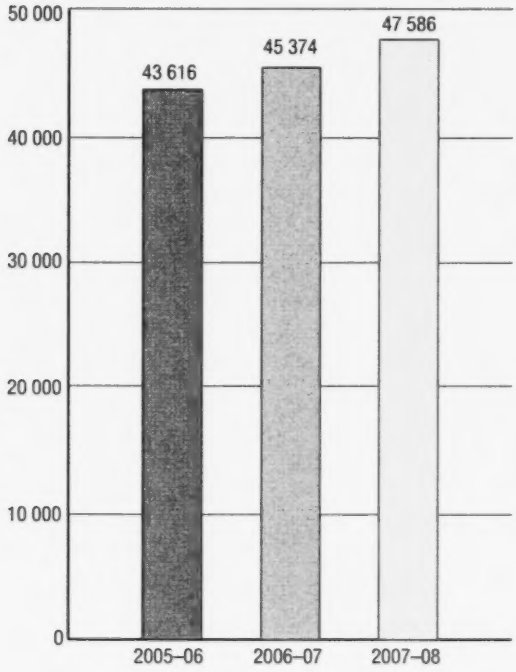
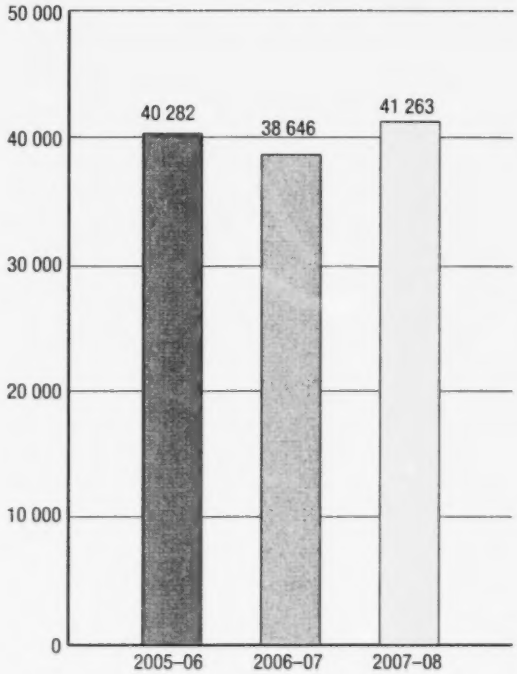


Figure 9 Trade-mark disposals



Patent statistics

TABLE 8
Patent applications filed by language

	2005–06	2006–07	2007–08
English	38 658	39 459	39 962
French	1 386	1 414	1 359
Total	**40 044**	**40 873**	**41 321**

TABLE 9
Patent applications filed, requests for examination and grants by discipline

Discipline	2005–06	2006–07	2007–08
Biotechnology			
Filed	3 406	3 353	3 357
Requests for examination	2 793	2 553	2 411
Granted	514	505	979
Computer-related			
Filed	7 048	7 222	7 292
Requests for examination	5 347	5 740	5 024
Granted	2 286	2 274	2 445
Electrical engineering / Physics			
Filed	3 286	3 154	3 232
Requests for examination	2 209	2 164	2 162
Granted	1 262	1 183	1 291
Mechanical/Civil engineering			
Filed	9 562	9 228	9 464
Requests for examination	6 476	6 481	6 200
Granted	5 376	5 504	6 190
Organic chemistry			
Filed	4 829	5 269	5 242
Requests for examination	3 626	3 501	3 328
Granted	1 876	2 047	2 247
Other chemistry			
Filed	7 003	7 425	7 491
Requests for examination	4 817	5 014	4 843
Granted	2 116	2 497	2 817
Miscellaneous			
Filed	4 910	5 222	5 243
Requests for examination	3 084	3 169	3 148
Granted	1 901	2 090	2 585
All disciplines			
Filed	40 044	40 873	41 321
Requests for examination	28 352	28 622	27 116
Granted	15 331	16 100	18 554

TABLE 10
Patent applications filed and granted to residents of Canada and foreign countries

	PCT filings	Non-PCT filings	Total filings	Total grants
Canada				
Alberta	209	562	771	360
British Columbia	200	397	597	164
Manitoba	29	91	120	43
New Brunswick	7	36	43	10
Newfoundland and Labrador	0	18	18	6
Nova Scotia	13	52	65	17
Ontario	618	1 599	2 217	755
Prince Edward Island	1	8	9	2
Quebec	333	811	1 144	414
Saskatchewan	16	84	100	42
Yukon Territory	0	2	2	0
Subtotal	1 426	3 660	5 086	1 813
Foreign countries	29 253	6 982	36 235	16 741
Total	30 679	10 642	41 321	18 554

TABLE 11
Top 10 patent applicants

Research in Motion Limited	458
The Procter & Gamble Company	389
General Electric Company	337
Qualcomm Incorporated	289
BASF Aktiengesellschaft	224
Schlumberger Canada Limited	216
3M Innovative Properties Company	196
Novartis AG	188
Boston Scientific Limited	184
F. Hoffman-LaRoche AG	176

TABLE 12
Top 10 patentees

The Procter & Gamble Company	184
Honda Giken Kogyo Kabushiki Kaisha	182
Telefonaktiebolaget LM Ericsson	164
Weatherford/Lamb Inc.	146
BASF Aktiengesellschaft	125
Bayer Aktiengesellschaft	119
Illinois Tool Works Inc.	119
Schlumberger Canada Limited	116
Minnesota Mining and Manufacturing Company	112
E.I. du Pont de Nemours and Company	82

TABLE 13
Patent Appeal Board — Operational statistics

	2005–06	2006–07	2007–08
Final actions			
Referrals	14	10	16
Disposals	11	10	5
Industrial designs			
Referrals	2	0	0
Disposals	0	1	0
Conflicts			
Referrals	0	4	6
Disposals	0	1	2
Re-examination — Section 48.1			
Filings	5	2	3
Disposals	6	2	5
Abuse — Section 67			
Filings	1	0	0
Disposals	1	0	0
Candidates for qualifying examination			
Patents	209	219	241
Trade-marks	32	35	24

TABLE 14

Patent applications filed and granted by origin as stated by applicant

	Filed	Granted
Anguilla	1	0
Argentina	7	3
Australia	658	216
Austria	177	99
Azerbaijan	0	1
Bahamas	8	3
Barbados	261	57
Belarus	1	0
Belgium	378	114
Belize	2	3
Benin	1	0
Bermuda	46	1
Brazil	68	20
British Virgin Islands	39	9
Brunei Darussalam	2	0
Bulgaria	3	2
Burundi	1	0
Canada	5 086	1 813
Cayman Islands	8	2
Chile	14	1
China	220	26
Chinese Taipei	178	42
Colombia	2	1
Cook Islands	1	0
Costa Rica	1	2
Country unknown	8	0
Croatia	6	3
Cuba	8	0
Cyprus	20	5
Czech Republic	13	3
Czechoslovakia	1	2
Denmark	344	129
Dominican Republic	1	0
Egypt	4	1
Estonia	2	0
Finland	276	290
France	1 652	957
Georgia	0	1
Germany (Democratic Republic of)	8	4
Germany (Federal Republic of)	2 954	1 384
Gibraltar	0	2
Greece	17	7
Hungary	27	10
Iceland	25	6
India	131	20
Indonesia	0	1
Iran	0	1
Ireland	163	43
Isle of Man	0	1
Israel	410	101
Italy	633	249
Japan	2 484	1 814
Jordan	4	0
Kazakhstan	0	1
Korea (Democratic People's Republic of)	3	0
Kuwait	0	1
Latvia	1	2
Lebanon	0	1
Liechtenstein	21	19
Lithuania	2	0
Luxembourg	39	33
Madagascar	0	1
Malaysia	4	1
Malta	7	0
Mauritius	2	2
Mexico	39	8
Monaco	3	2
Morocco	4	0
Netherlands	602	312
Netherlands Antilles	6	10
New Caledonia	2	0
New Zealand	108	46
Nigeria	0	1
Norway	178	100
Panama	6	0
Paraguay	1	0
Philippines	2	1
Poland	10	4
Portugal	26	1
Republic of Korea	467	159
Romania	4	0
Russian Federation	38	22
Samoa	1	0
San Marino	1	0
Saudi Arabia	14	1
Seychelles	4	0
Singapore	34	4
Slovakia	1	0
Slovenia	16	3
South Africa	71	21
Spain	230	60
Swaziland	1	0
Sweden	632	408
Switzerland	1 623	583
Thailand	4	0
Trinidad and Tobago	1	0
Tunisia	1	0
Turkey	7	2
Turks and Caicos Islands	1	0
Ukraine	3	6
United Kingdom	1 422	749
United Arab Emirates	3	3
United States of America	19 319	8 534
Uruguay	2	0
Vanuatu	0	1
Venezuela	1	2
Zimbabwe	0	1
Total	**41 321**	**18 554**

Figure 10 Patent requests for examination

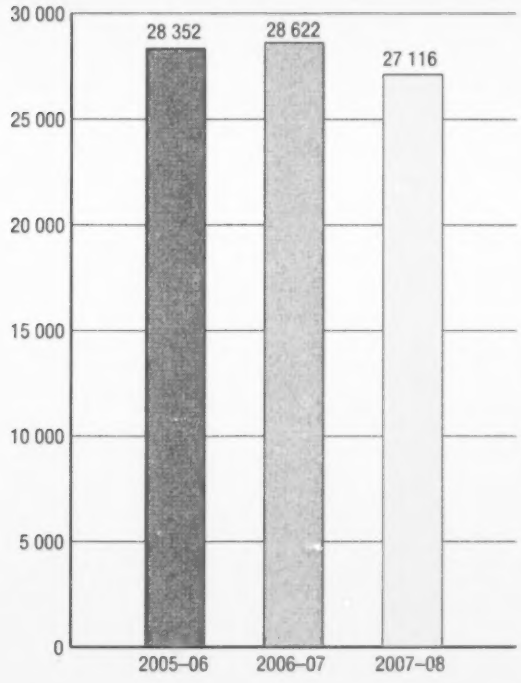
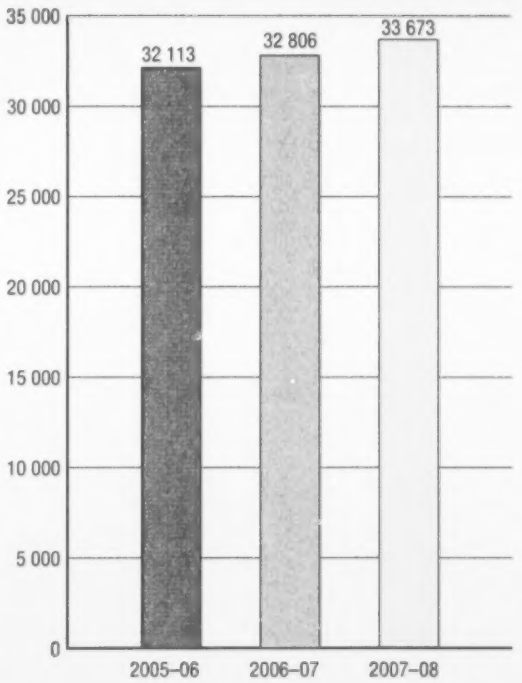


Figure 11 Patent disposals



Copyright statistics

TABLE 15
Copyright applications filed by language

	2005–06	2006–07	2007–08
English	6948	7009	7783
French	1669	1495	1538
Total	8617	8504	9321

TABLE 16
Copyright applications filed and registered by province/territory

	Filed	Registered
Alberta	781	781
British Columbia	1126	1123
Manitoba	171	171
New Brunswick	109	109
Newfoundland and Labrador	38	38
Northwest Territories	6	6
Nova Scotia	139	133
Ontario	3414	3403
Prince Edward Island	25	25
Quebec	1952	1946
Saskatchewan	119	120
Yukon Territory	10	10
Total	7890	7865

TABLE 17
Copyrights filed and registered by origin as stated by applicant

	Filed	Registered
Argentina	1	1
Australia	15	15
Bahamas	1	1
Bermuda	32	32
Brazil	3	3
British Virgin Islands	6	6
British West Indies	1	1
Bulgaria	1	1
Canada	7891	7866
China	8	8
Costa Rica	1	1
Cuba	2	2
Czech Republic	2	2
Denmark	2	2
El Salvador	1	1
Ethiopia	1	1
France	31	31
Germany	32	32
Greece	2	2
Haiti	1	1
Hong Kong, China	29	29
Hungary	3	3
India	4	4
Ireland	14	14
Italy	9	9
Japan	25	25
Kazakhstan	1	1
Liberia	1	1
Luxembourg	4	4
Malaysia	1	1
Mexico	6	6
Netherlands	4	4
New Zealand	3	3
Nigeria	2	2
Norway	4	4
Paraguay	1	1
Philippines	1	1
Poland	1	1
Portugal	1	1
Republic of China	1	1
Singapore	1	1
Spain	11	11
Sweden	1	1
Switzerland	41	41
United Kingdom	70	70
United States of America	1048	1006
Total	9321	9254

TABLE 18
Top 10 copyright applicants

Pearson Education Canada	227
Twentieth Century Fox Film Corporation	149
Groupe Éducalivres Inc.	88
Miramax Film Corp	77
Cumulative Environmental Management Association	48
Spin Master Ltd.	46
ATCO Structures Inc.	45
UMG Recordings, Inc.	39
Giftcraft Ltd.	39
Nintendo of America Inc.	37

Figure 12 Copyright applications

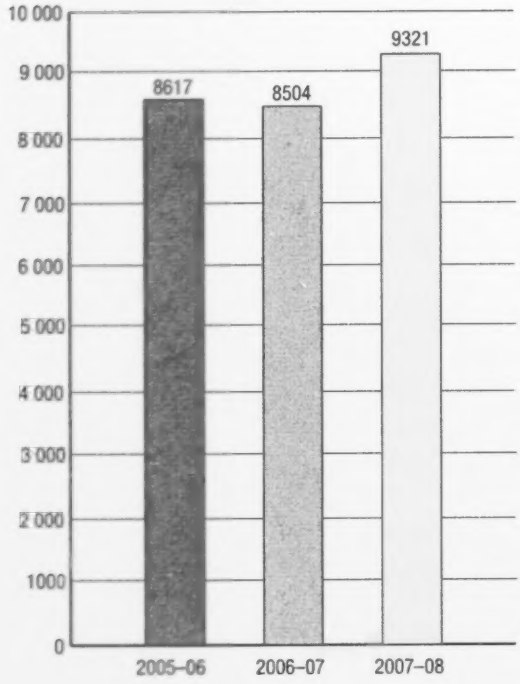
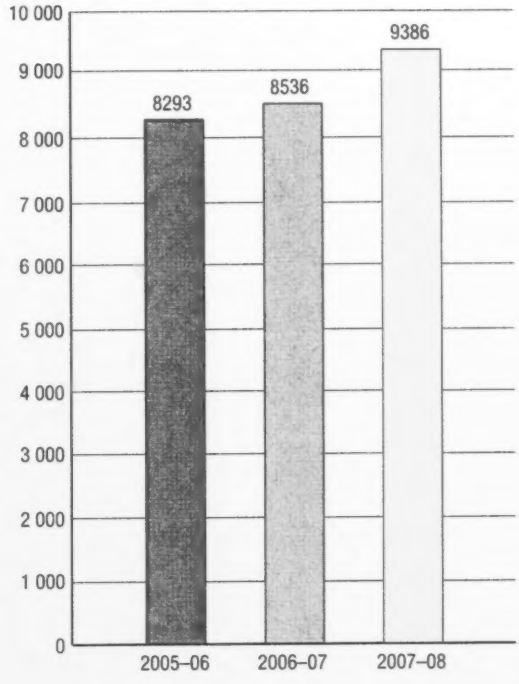


Figure 13 Copyright disposals



Industrial design statistics

TABLE 19
Industrial designs registered by language

	2005–06	2006–07	2007–08
English	3345	3761	5779
French	124	92	168
Total	3469	3853	5947

TABLE 20
Industrial design applications filed and registered by province/territory

	Filed	Registered
Alberta	25	27
British Columbia	81	166
Manitoba	6	14
New Brunswick	14	7
Newfoundland and Labrador	2	3
Northwest Territories	1	0
Nova Scotia	4	5
Ontario	257	246
Quebec	185	153
Saskatchewan	5	2
Total	580	623

TABLE 21
Industrial design applications filed and registered by origin as stated by applicant

	Filed	Registered
Anguilla	0	1
Argentina	1	5
Australia	55	75
Austria	161	20
Bahamas	7	6
Barbados	12	18
Belgium	18	11
Bermuda	1	1
Brazil	5	3
British Virgin Islands	81	4
Canada	580	623
Cayman Islands	5	7
China	38	79
Colombia	3	0
Croatia	6	0
Cyprus	1	0
Czech Republic	1	0
Denmark	13	9
England	40	33
Finland	90	81
France	153	159
Greece	1	0
Germany	206	190
Hong Kong, China	16	21
Hungary	0	1
India	28	4
Indonesia	0	1
Ireland	3	7
Israel	4	12
Italy	157	152
Japan	256	366
Korea	19	9
Liechtenstein	15	25
Luxembourg	1	0
Malaysia	3	0
Mexico	3	4
Netherlands	58	49
New Zealand	17	25
Norway	15	22
Poland	3	0
Portugal	1	0
Republic of Korea	34	61
Singapore	4	12
South Africa	13	6
Spain	21	11
Sweden	59	57
Switzerland	129	172
Taiwan	77	82
Thailand	0	2
Turkey	0	4
United Kingdom	152	133
United States of America	2606	3384
Yugoslavia	2	0
Total	5174	5947

TABLE 22
Top 10 industrial design applicants

Microsoft Corporation	244
Nike International Ltd.	175
The Procter & Gamble Company	161
Wolverine World Wide, Inc.	174
Kohler Co.	116
Honda Motor Co., Ltd	96
Peak Innovations Inc.	78
Nokia Corporation	65
PI-Design AG	58
Dart Industries Inc.	51

TABLE 23
Top 10 industrial design registrants

Microsoft Corporation	244
Nike International Ltd.	175
The Procter & Gamble Company	152
Wolverine World Wide, Inc.	147
Kohler Co.	117
Honda Motor Co., Ltd	96
Peak Innovations Inc.	78
Nokia Corporation	65
PI-Design AG	56
Dart Industries Inc.	51

Figure 14 Industrial design applications

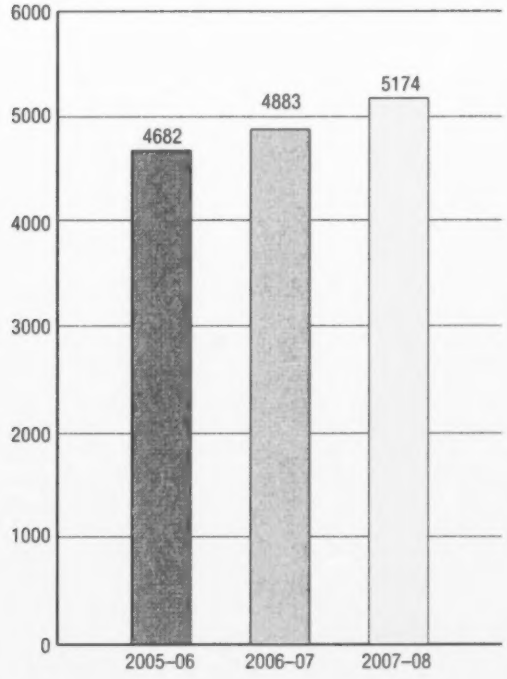
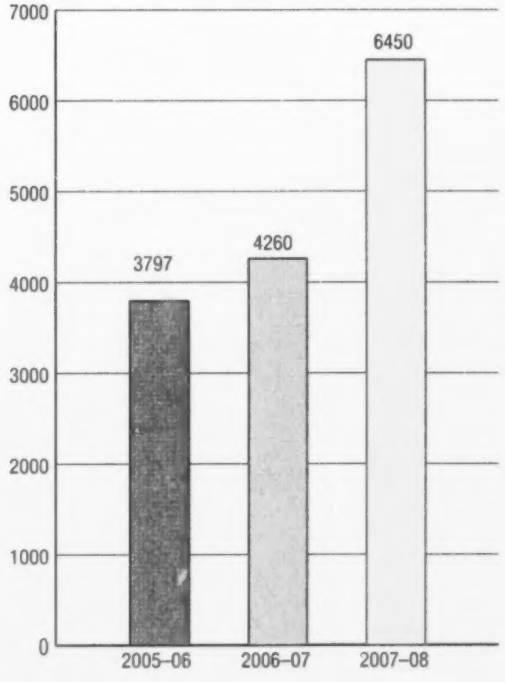


Figure 15 Industrial design disposals



Information statistics

Figure 16 *Internet traffic*

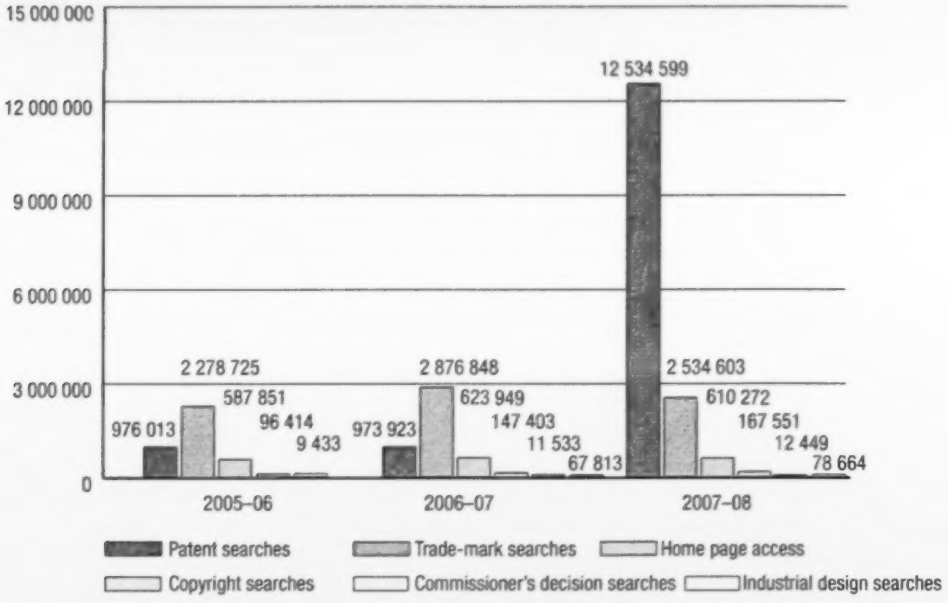
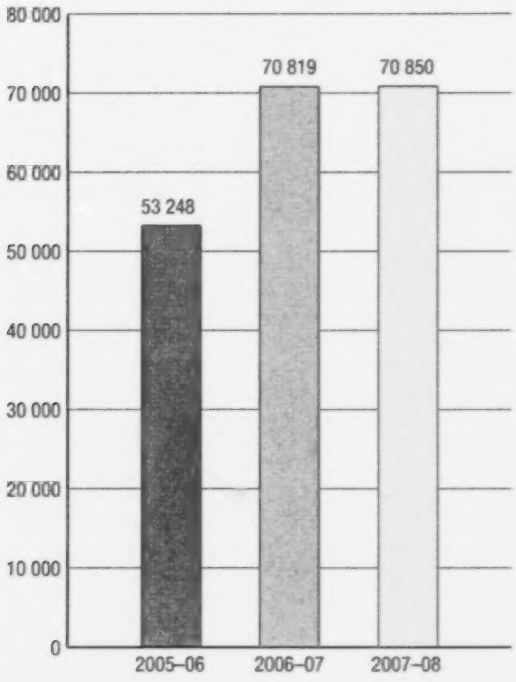


Figure 17 *Enquiries*



Human resources statistics

Figure 18 Employees by age group

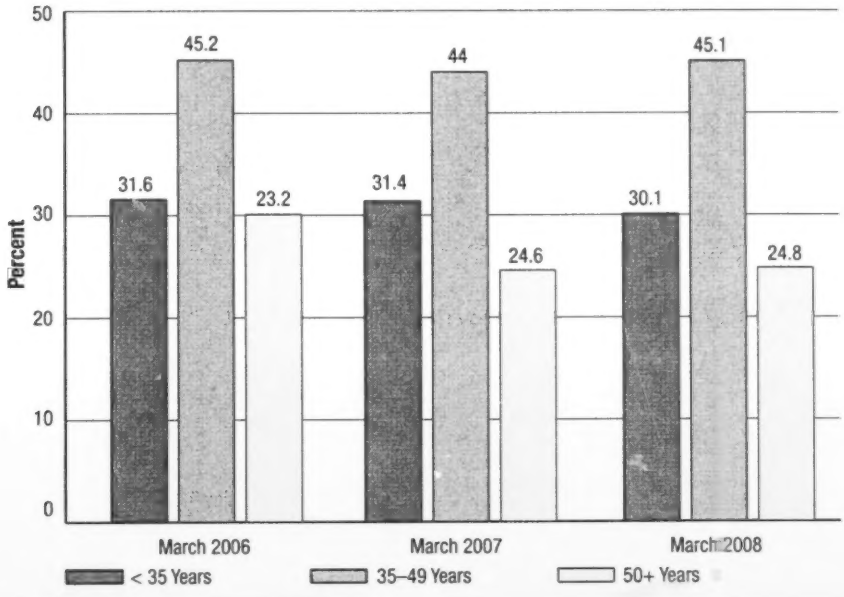


Figure 19 Total employees

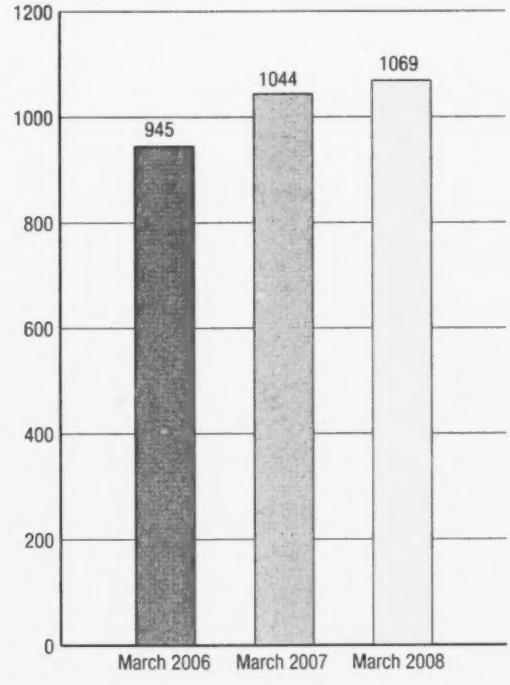
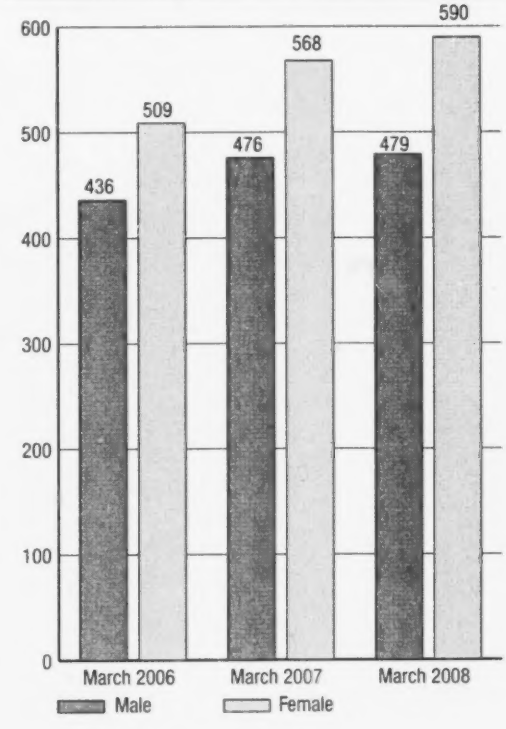


Figure 20 Employees by gender



Appendix D

Client service standards

Services	Client service standards	Results
PATENT BRANCH		
• issue filing certificate for patent applications meeting filing requirements	within 4 weeks from date of receipt of the application	5 weeks
• issue confirmation of national entry for PCT applications meeting entry requirements	within 8 weeks from date of receipt of the application	11 weeks
• issue an ownership registration certificate	within 6 weeks from date of receipt of documentation	6 weeks
• provide a first substantive examination (80 percent of applications with a request for examination will be waiting for a first substantive examination action, including all known objections to patentability)	80 percent of applications less than 24 months	72 percent less than 24 months
PATENT APPEAL BOARD		
• Patents - contact applicant to arrange hearing date	within 2 months	2 months
• Industrial designs - contact applicant to arrange hearing date	within 2 months	n/a
TRADE-MARKS BRANCH		
• acknowledge correctly filed new applications	within 7 working days of filing date	6.1 working days
• approve acceptable applications or issue first examination reports	within 6 months	6.8 months
• respond to client correspondence received subsequent to a first action	within 4 months of receiving correspondence	within 4 months from receipt

Services	Client service standards	Results
TRADE-MARKS OPPOSITION BOARD		
• conduct oral hearing		
- opposition	within 14 months from receipt of request (no postponements)	12 months
- section 45	within 18 months from receipt of request	16 months
• render decisions		
- non-hearing opposition	within 11 months of decision stage	8 months
- non-hearing section 45	within 13 months of decision stage	13 months
COPYRIGHT OFFICE		
• register a copyright and issue a certificate		
- for applications received by mail	within 6 working days from receipt of application and fees	5.9 working days
- for applications filed electronically	within 3 working days from receipt of application and fees	1.8 working days
• register a grant of interest and issue a certificate for a copyright	within 12 working days from receipt of application and fees	6.8 working days
INDUSTRIAL DESIGN DIVISION		
• issue filing certificate or issue report indicating application is incomplete	within 4 weeks from receipt of application	3 weeks
• examine application to assess the registrability of the design; allow the design or issue first examiner's report	within 13 months from receipt of application	10 months

Services	Client service standards	Results
CLIENT SERVICE CENTRE[1] (CSC) (INFORMATION BRANCH)		
(Requests are processed within standards 90 percent of the time)		
• respond to telephone enquiries or voice mail	immediately upon receipt or call will be returned within 24 hours	97.3 percent
• respond to general correspondence, email and fax requests	within 48 hours upon receipt in CSC	97.3 percent
• provide access to an information officer (on site)	within 10 minutes of request	97.3 percent
• send IP publications by mail	within 48 hours	97.3 percent
REPRODUCTION AND SALES SECTION (INFORMATION BRANCH)		
(Requests are processed within standards 90 percent of the time)		
• send photocopies of patent, trade-mark and copyright documents in paper or electronic form	within 72 hours from receipt of request and with proof of payment[2]	92 percent
• send certified copies of patent, trade-mark and copyright documents in paper form	within 72 hours from receipt of request and with proof of payment[2]	92 percent

Note: CIPO is committed to providing service at the level specified, and, on average over the year, it is expected that this service level will be achieved. There may be some instances where service does not meet the service standard due to unforeseen circumstances.

1. CSC's business hours are from 8:30 a.m. to 4:30 p.m. from Monday to Friday (with the exception of statutory holidays).
2. Some exceptions may apply due to delays in receiving materials from archives.

Appendix E

Management team and business development officers

Management team

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